Bombay Gazette.

PUBLISHED TWICE A WEEK—ON WEDNESDAY AND SATURDAY MORNING—PRICE RUPEES THIRTEEN PER QUARTER.

VOL. XVLI.] WEDNESDAY, NOVEMBER 18, 1835. [No. 2,539.

PROCLAMATION.

Bombay to Wit. BY virtue of a Precept to me directed, I hereby proclaim and give notice, that the Sessions of Oyer and Terminer, and General Gaol Delivery, will be holden before the Supreme Court of Judicature at Bombay, at the Court House, on Thursday the third day of December next at eleven o'clock in the forenoon, for the trial of all Treasons, Murders, and other Felonies, Perjuries, Trespasses, and other Crimes and Misdemeanors, had, done, or committed, within the Town and Island of Bombay, and the limits thereof, and the Factories subordinate thereto, and also to enquire, hear, and determine, in like manner, all Treasons, Murders, Felonies, Forgeries, Perjuries, Crimes, Extortions, Misdemeanors, Trespasses, Wrongs, Oppressions, had done and Committed, by any of his Majesty's British Subjects, in any of the Territories which now are subject to, or dependent upon, the said Government of Bombay, or within any of the Dominions of the Native Princes of India, in alliance with the said Government.

And also that, at the same time and place will be holden a Session of Admiralty, for the Trial of all Treasons, Murders, Piracies, Robberies, Trespasses, Misdemeanors, and other crimes and offences, had, done, perpetrated, or committed, on the High Seas.

And I hereby require and enjoin all persons bound to prosecute and give evidence at the above Sessions, or in any way concerned therein, to attend at the time and place abovementioned, and not to depart without leave of the Court. Dated this Seventeenth day of November, in the sixth year of the reign of His Majesty King William IV.

J. LITTLE, *Sheriff.*

ઢંઢેરો *

(શ્રી • મુમ્બઇમાં •) કું • ઢંઢેરો • કહુમ • મયા • ખબર • હીમાંથી • જાહેર • કરુંઅને • શ્રી • મુમ્બઇની • જુડીકેટરની • શ્રુપરીમ • કોરટ • આગલ • શેશન • બેસારે ને • ઠેકાણે • કોરટ • મરેય • તેજ • થેરમો • શ્રી • મુમ્બઇમાં • કોટમમે મરેયા પતવારને • દીને • તારીખ • 3 જી • આવતા ડીસેમ્બર • મહીનાની • કલાક • ૧૧ ના • પેહેલે • પોહોરમાં • શેશન • મરાશે *

અને તેજ • જગેા • ઉપર • તેજ • વેલાઈ આડમીરાલટી • શેશન • કીટલે જે • દરીઆવરદી • પાનાનાં • નેમાવની • રાતા • બેસામે • શારાકુંકે • બેસ્ટોફ • માંહાયનો • દંટે • અથવા • ખુંન • અથવા • વાંકાંણ મોની • ચોરી • અથવા • દરીઆનાં • ચાંચીઆ • ચોરો • અથવા • તરકટ • અથવા • કુરે ક • બીજી • તકસીરનો • દાવો • કોર્ટ • તેકનો • ને આવ • છાંડે *

અને કું • સરીપ્ • બબર • હીમાંથી • આ મુમ્બઇ • બેસ્ટોફ • માંહાયનોંદંવે • ઈમા • ચોરી ઈમા • ખુંન • ઈમા • તરકટ • ઈમા • કુરકક • કે ઈ • બીજી • તકસીરનો • દાવો • કોર્ટ • તે • માંહા શા • પોતાનો • મુદ્દો • બરો • કરવા • શારુ • જે • કા ગડો • ઉપર • છાપેલોછે • તે • દાવે • નથા • ઉ પર • છાપેલા • ઠેકાણે • તાંહાં • તેનાં • ગુવા હી • મઝાર • શાહેદી • આમે • અને • પોતે • હા જર • થાઈ • અને • માંહાયો • કોરટનાં • હેકમ વ્યાપાર • કોરટમાંથી • જાઈ • નહી • — તારીખ ૧૭ મી • નવેમબર • તવા • અંગરેજના • ૬૮ શા • ઉ • હીજમ • ચોથાનું • વરશ • છઈ *

ને — લીટીલ્ક *

શરપ્ •

TO BE LET—That well known and spacious building called "*Clairmont*, recently vacated by the Court of Sudder Adawlut, and which has lately undergone a thorough repair, &c.

ALSO,

That commodious and airy dwelling house at present occupied by D. Greenhill, Esq. on the Mount road, which is likely to become vacant at the end of this month. For particulars and terms, apply to MANOCKJEE LIMJEE, or FRAMJEE CAWASJEE. Esq. at his office, in the Fort.

Bombay, 18*th November*, 1835

ADVERTISEMENT.

THE Supreme Court of Judicature at Bombay, having granted letters of administration of the Goods Chattels rights and credits, of ROBERT MANSFIELD ESQUIRE, late a Major in the service of the East India Company on their Bombay Establishment deceased, to WILLIAM FENWICK ESQUIRE, as the Registrar of of the said Court limited to the collection of assets within the Jurisdiction of the said Court and to the payment of the debts and otherwise, protecting the property of the deceased, all persons concerned therein, are hereby apprized thereof,—Dated this 6th day of November, 1835.

H. E. SOUTHOUSE,
Proctor.

ADVERTISEMENT.

SEALED TENDERS, (post paid), will be received by the Acting Quarter Master of the 6th Royal Regiment, until the 30th of November, to supply the following Articles for the use of the Regiment (at Colabah), for twelve months from 1st January 1836.

Green Tea, per lb.
Black do. do.
Coffee, do.
Sugar, per Maund.

The above articles to be of good quality, and the Tenders to be accompanied by samples.

The articles to be delivered at the Head Quarters of the Regiment at Colabah, free of all additional expense or charge whatever, and to be at the risk of the Contractor until he receive a receipt from the Quarter Master, and all supplies condemned by a Committee of three Officers to be at the risk of, and replaced by the Contractor.

J. G. WILSON, Lieut.
Act. Qr. Master, 6th Royal Regt.
Camp Deesa, 31*st Oct.* 1835.

ESTATE AND MANSION OF "BOHEMIA" SITUATED ON THE MAHABULESHWAR HILLS.

MESSRS. FRITH, BOMANJEE AND Co. beg to notifiy to the Public, that unless they are able to dispose of the above property belonging to Mr. NEWNHAM, on or before Monday, the 23rd of November, they will put up the same for sale by Public Auction at their Rooms, at Noon of that day, when the Estate will at once be sold off without reserve, to the highest bidder. The Mansion is commodious and in good repair, and was recently in the occupation of the Right Hon'ble the Governor—The grounds are extensive and delightfully situated in the most pleasant and romantic part of the Hills.

Particulars as to Terms of sale, and in other respects regarding the property, may be known on application to Messrs. FRITH, BOMANJEE AND Co.

Nesbit Lane, 18*th November*, 1835.

GRAHAM'S GENEVA,

MESSRS. FRITH, BOMANJEE AND CO., having recently received a new importation of the above much admired Liqueur to a considerable extent, have reduced the price from 18 to 15 Rupees the dozen case, at which rates they are prepared to forward any quantity required.

Nesbit Lane, 18*th November*, 1835.

CARBONELL'S WINES.

MESSRS. FRITH, BOMANJEE AND CO. have for sale at their Godowns the following Wines from the above respectable House, which they can strongly recommend to public notice, as of superior quality, viz. 1st Growth Claret, in Quarts, each per doz. Rs. 45
Do. do. in Pints " " " 23
2nd Growth Claret in Quarts, " " " 30
Superior old Pale Sherry, 5 yrs. in Bottle, 26
Fine Mellow Port, of a quality unrivalled in this market . . . . . " 24

Terms of sale, Cash—and a discount of 5 per cent allowed, where a quantity of twelve dozen or above of either sort of Wine is taken.

Nesbit Lane, 18*th November*, 1835.

ON Sale at the Godowns of Messrs. DIROM CARTER, a few cases of Superior Champaign @ Rs. 45 per dozen.
Ditto Hock . . . @ Rs. 30 per dozen.

Bombay, 18*th November*, 1835.

SALE BY PUBLIC AUCTION, BY ORDER OF THE COMMON ASSIGNEE OF THE INSOLVENT COURT.

ON Wednesday, next the 25th of November, at 4 P. M. Messrs. FRITH, BOMANJEE and Co., will sell by public auction (under the sanction of the above authority,) on the Premises, at the head of Duncan Road, that extensive parcel of Ground with covered sheds, out-houses, Bungalow, &c. known as the "Duncan Rope Walk," the property of HORMASJEE DHUNJEE PATELL, (a partner in the firm of THOMAS CRAWFORD and Co.) an Insolvent.

TERMS OF SALE.

1st. The Lot shall be knocked down to the highest bidder, who shall be declared to be the purchaser.

2nd. A deposit of (25) twenty five per cent shall be paid down forthwith on the Lot being knocked down, and the remainder of the purchase money on or before the 10th December following; when the Title deeds shall be executed, being previously prepared at the expense of the purchaser.

3rd. Intending purchasers are to satisfy themselves as to the extent and measurement of the above property.

4th. In failure of a due compliance with the above terms, the Lot will be resold at the risk of the first purchaser, who shall forfeit all advantage, and make good all losses.

N. B. This Property being sold with the sanction of the Mortgagees, Messrs. JEHANGEER and MANOCKJEE NOWROJEE, the said parties, engage to join with the COMMON ASSIGNEE in the conveyance to the purchaser.

On the same date, will be sold, all the Materials and Machinery connected with the above named Establishment, in such Lots, as may appear most advantageous to the Estate of the Insolvent.

Nesbit Lane, 18*th Nov.*, 1835.

AT Colabah on Monday next, the 23rd Instant EDULJEE CURSETJEE'S SONS, will sell by public Auction, the Household furniture and other property of L. HATHWAY ESQR. Comprising Tables, Chairs, Couches, Hanging Lamps, a Carriage and pair of Horses, &c.

The sale will commence at 11 A. M.

Bombay, 18*th Nov.*, 1835.

ON Sale at the Godowns of Messrs. THOMAS JEFFERIE'S AND CO.

Lisbon Tinto Wine of very superior quality, per pipe of 120 Gallons. Rs. 300
Ditto Sweet and Plain per do. .. " 250
Ditto do. do. per Barrel of 25 Gallons, each. . . . . " 50
Muscadine Wine in cases of one dozen each. . . . . " 15
Malmsey do. do. do. . . . " 15
Annis in Carboys of 4 Gallons each. . . . . " 15

Nesbit Lane, 18*th November*, 1835.

NOTICE.

FOR Sale English and French Billiard Cues, the former made by Thurston, also Europe Billiard Balls of different sizes.—Apply to COWASJEE HORMUZJEE, Marker, near the General Hospital, in the Fort.

Bombay, 18*th Nov.*, 1835.

BEER.—Hodgson, Bass, Alsopp, and Ind and Smith, ripe and of superior quality, in quantities of not less than six dozen, at SIX AND HALF Rupees per dozen, Cash. Apply to DINSHAW DADABHOY, at the Godowns of MR. GREY.

Rampart Row, 18*th Novr.*, 1835.

FIRST CALCUTTA LOTTERY FOR 1836.

TICKETS and shares in the above Lottery are for sale at FROMMURZ SORABJEE, opposite to the General Post Office, at the following prices, viz :—

Whole Tickets at Rupees 115 each.
Half. . do. " . . . . do. 58 "
Quarter do. " . . . . do. 29 "
One eighth do. " . . do. 15 "

TERMS, CASH.

Bombay, 18*th November*, 1835.

PROSPECTUS.

TO be Published on the 1st of January (On English Paper and good Type) THE BOMBAY CALENDAR AND DIRECTORY, for 1836, Containing a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map) ; The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which, will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette office, where copies *five Rupees each*, will be delivered upon Publication.

Gazette Office, 18*th Novr.*, 1835.

THE NEW BOMBAY DIRECTORY FOR 1836.

To be published positively the first week in January.

CONTAINING,

BESIDES the usual local matter, including the Civil, Military, Medical, Ecclesiastical and Indian Navy Lists, with the rules, Regulations, and Pay Tables, belonging to each, derived chiefly from official sources, a great variety of Statistical information of an interesting nature, carefully selected and methodically arranged, either in an historical or tabular form, together with a Map of the Bombay Territory, and Lithographed drawings of the principal Edifices on the Island.

At the same time with be published, the Asiatic Calendar for the ensuing year, which, in addition to the customary Tabular Registers, will contain short notices of the Native Holidays, the different Indian Eras, Epochs and Cycles, with a description of the ceremonies attendant on their births, marriages and deaths.

N. B. Both publications to be printed on English Paper, and applications for either to be made to Mr. MALVERY at the Circulating Library in Church Lane, who will attend to all instructions given him, and who is authorized to receive for the former Rupees six, and for the latter rupees two, per copy, on delivery.

Price Current and Mercantile Register Office ; Colaba, the 9th November, 1835.

DESTOURNELL'S COS. CLARET,

THIS well known and much approved wine, to be had in cases of one and a half dozen each, and of one dozen each price 20 Rs. per dozen—Cash.

A fresh arrival per Marie, now landing, at 25 Rs. per dozen—Cash.

Apply at the Office of Messrs. ADAM, SKINNDR AND Co., Forbes Street.

Bombay, 18*th Nov.*, 1835.

TO LET—A house in Rampart row.—Apply to Messrs. FORBES AND CO.

Bombay, 18*th November*, 1835.

ON SALE,—At the Godowns of Messrs. FORBES & Co., a small quantity of highly flavored Laroze Claret, vintage 1827, in three dozen cases, by "La Marie," from Bordeaux, from Messrs. W. and D. JOHNSTON—Price Rs. 60 per Case.

Bombay, 18*th November*, 1835.

ON SALE.—At the Godowns of Messrs. FORBES and Co., Sherry in Wood from Messrs. Rusken, Telford, and Co. . . . . at Rs. 500 per butt.

Bombay, 18*th November*, 1835.

BILLS ON ENGLAND.

ON sale at Messrs. DIROM, CARTER and CO'S. Office, at 1 | 11, 30 days' sight.

Rampart Row, 18*th November*, 1835.

FOR SALE.—Respondentia Bonds, each . . . . . Rs. 1
Ships Articles . . . . . ,, 1
Policies of Insurance . . . . . qrs. 2
Bills of Exchange, per set . . . . . ,, 2
Interest Bonds . . . . . ,, 2
Bills of Lading . . . . . ,, 2
Powers of Attorney, each . . . . . ,, 2

☞ All Orders for Letter Press, and Copper Plate Printing, will be punctually attended to.

JUST Published, Sermons by the Revd. E. P. WILLIAMS, A. M. Chaplain on the Bombay Establishment.

Price seven Rupees per copy.

Copies may be had at Mr. MALVERY'S Library, Church lane.

Bombay, Nov. 18th, 1835.

NEW

Calcutta Laudable Society.

INSTITUTED ON THE 1ST JANUARY, 1835,

BY TRANSFER FROM THE

Seventh Calcutta Laudable Society.

(The first of the series instituted on the 1st of Jan. 1795.)

AND INCORPORATED WITH THE

THIRTEENTH

Supplementary Laudable Society.

ON THE 1ST JULY, 1835.

DIRECTORS:

T. E. M. TURTON, Esq. | Baboo DWARKANAUTH TAGORE.
R. H. COCKERELL, Esq. | T. HOLROYD, Esq.
B. HARDING, Esq. | C. B. GREENLAW, Esq. and
Capt. J. W. J. OUSELEY. | W. H. TWENTYMAN, ESQ.
W. BRUCE, Esq.

The object of this Society is to secure a certain Provision at the lowest possible rate; the value of each Share at 6,000 Rupees is, on an equal return for the Premiums paid which would have resulted from the lately projected Government Insurance Office; whilst the extremely economical scale of management in the New Laudable Society, less than 1,2 | 3 per Cent. upon the Annual Premium, enables the Directors to look forward with confidence to a considerable Surplus. They have the authority of MR. CURNIN, that with a fair Share of the business of the Public, the rates of Insurance in the New Laudable Society, will yield, on an average, upwards of Sa. Rs. 8,000 per Share. Whatever it may be it is at present proposed to divide, the Surplus amongst the Survivors in equal proportion to the Premium paid by them respectively.—Should the shares be continued at Sa. Rs. 6,000, and the out-turn yield, Sa. Rs. 8,000, the Society will divide amongst its surviving Members, on each term of five years, the whole of the Surplus,—being equivalent to one-fourth of the total Premium subscribed. Successive accumulations will enable the Insurer to discontinue a proportionate number of Shares; thus combining the two important functions of an Insurance Society and a Savings' Bank, upon a considerable scale. In Insurances for securing Marriage Settlements, and for other similar objects, the advantages of this system are obvious.

Hence, the above Society is strictly one of mutual Insurance, in which there is no division of interests amongst the parties concerned; consequently, there being no Proprietors distinct, from the Assured, who are at once Proprietors, Assurers and Assured, the Society stands independent of the control of individuals in the character of Patrons, Presidents, Directors, &c. chosen by a body of Proprietors, not necessarily Assured in the Society, and deriving profit from the Subscriptions of the Assured.

Half yearly Meetings of the Assured are held, to which the accounts of the Society are submitted.

STATE OF THE SOCIETY

On the 1st August, 1835.

Lives Insured 481 } on { Shares 1258, averaging 2 3 | 5

per Life, or Sa. Rs. 15,600 at Sa. Rs. 6000 per Share.

FUNDS.

SICCA RUPEES 4,30,000:

(Exclusive of Sa. Rs. 4000 paid on each lapsed Share, since 1st January last), invested in Government Securities and deposit of Government and Bank Stock.

The lapses during the first half year amounted to 1, 2 | 5 per Cent. or 2, 4 | 5 per Cent per annum.

Present value of lapsed Shares, Sa. Rs. 18,288 per Share, over and above the 4000 Rs. paid on each Share.

Insurances taken from ¼ to 10 Shares on one Life.

Application for Copies of the Rules and Regulations of the Society.—Blank Forms for Life Insurance and Admission to the Society,—to be made to the Secretary.

By Order of the Directors,

J. CULLEN, *Secretary.*

FOR FREIGHT OR CHARTER TO ANY PORT.

THE Barque ABGARUS, 340 Tons Burthen, CHARLES DUNBAR, Commander, Apply to the Commander, at EDULJEE FRAMJEE'S Bombay Green.

Bombay, 18th Nov., 1835.

PASSAGE TO LONDON.

BY the splendid river-built Ships, both 650 tons Burthen,

"THE CARNATIC;"

JOHN BRODIE, Commander, and

"THE MALABAR;

WILLIAM TUCKER, Commander.

The Carnatic is daily expected here, and will be quickly despatched from this.

The Malabar is expected here in this month, and will be despatched about the end of December.

The accommodations of these ships are very spacious and lofty, and both are quite new, now on their second voyage. Both vessels carry Surgeons. Apply to ADAM, SKINNER AND Co. where plans of the accommodations may be seen.

*Dady's Buildings, 18th Nov.,*1835.

FOR PASSAGE TO ENGLAND.

THE HERO OF MALOWN, 500 Tons, will sail on the 1st December, touching at the Cape of Good Hope, and calling at Cork for orders. Carries a Surgeon. Apply to Captain GRUNDY on board, or at Messrs. DIROM, CARTER AND CO'S. office, where plans of the accommodations may be had.

Bombay, 18th November, 1835.

FOR PASSAGE TO LONDON, CALLING ON THE COAST.

THE MORLEY, 500 tons, has two cabins vacant, and will sail for the Coast on the 25th Instant. Apply to Capt. DOUGLAS, on board, or at the office of Messrs. DIROM CARTER AND CO.

Bombay. 18th November, 1835.

CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MR EDITOR,—It was that man who is always writing in the Gazette, that sent you the remarks on the late review of the 40th Regiment, but what the d—l does he know of military movements? True! he may not; but he knows that black is not white; and he was anxious, that white should not be made black, and that zeal should have its

REWARD.

Bombay, 14th November, 1835.

CHALLENGE TO THE PRESIDENT OF A GENERAL COURT MARTIAL.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—The courtesy of the editorial remarks contained in the last Gazette requires a reply, although I have not been convinced by them that there is either inconsistency or obscurity in my last letter. It was written, indeed, with reference to my former letter, and I did not therefore repeat what I had said before; but you might have recollected that I had stated in it that, if any objection be urged to the appointment of the president of a General Court Martial, care must be taken to have the objection *clear and specific.* In such case, therefore, the cause of challenge would be thus worded—"I object to the president, because he has expressed respecting the subject about to be investigated, an opinion unfavorable to me." or, "I object to the president, because I have reason to believe that he entertains a prejudice against me." These causes of challenge, and such as are of the same description, being allowed by law, must be at once admitted by the Court Martial, and no discussion respecting their legality can be requisite; for, were any doubt entertained on the subject, the question could be only determined by reference to some law book of authority. If, also, the objection made to the president be, that he has been the president or member of a Court of enquiry which had previously investigated the subject about to be tried—*but which Court had not given an opinion*—or, that he was the intimate friend of either party—it is not by discussion, but by a reference to the rules of law, that the Court, if dubious respecting the legality of these and similar objections, can ascertain that they are not allowed by law, and that therefore the challenge ought to be rejected. In either case the only question before the Court is simply, whether or not the cause of challenge assigned is one allowed by law. For, in the case of the President, the Court cannot enter into an enquiry into the grounds on which the challenge is made—that is, it cannot examine into the circumstances on which the party making it has alleged that the president has expressed an opinion unfavorable to him, or entertains a prejudice against him. The cause of challenge, therefore, and the grounds on which it is made, are obviously quite distinct circumstances; and consequently, when a challenge is made to the president, the Court Martial can only decide whether the cause assigned is one allowed by law, as it remains for the authority by whom the Court was convened to ascertain and determine the truth and sufficiency of the grounds on which the objection was urged. It will hence be evident that, although possible, it is very unlikely that the presence and influence of the president would induce a General Court Martial to decide so simple a question, as whether the cause of challenge made to him was one allowed by law or not, contrary to law and to the established practice of Courts Martial: and that in considering this question to be of a personal nature, you appear to have confounded together the cause of challenge assigned, which is a mere dry point of law, and the grounds on which it is made, which must no doubt be personal to the president, but which cannot, in my opinion, be enquired into by the Court.

These remarks apply of course only to such causes of challenge as the Court can decide upon from the mere statement of the objection shewing that there is an apparent partiality in the president which disqualifies him from being a juror, or that the circumstances urged do not constitute such a cause of challenge as would be allowed by law. Such, also, are the challenges which generally occur at General Courts Martial. But the law, also, allows challenges *for favor,* that is, when, though the juror is not so evidently partial as to amount to a principal challenge, yet there are reasonable grounds to suspect that he will act under some undue biass or influence; and in this case it might seem that discussion would be requisite at a Court Martial. As, however, the objection must be presented to the Court in a clear and specific form, the only question that could arise respecting it would be whether, supposing the circumstances stated in it to be true, they are such as are likely to produce a biass in the mind of the president. For the Court cannot enquire into the truth of those circumstances, and it has therefore before it merely the statement of the party making the objection, from which each member ought to form his own opinion whether or not, admitting its truth, the president is *omni exceptione major* unbiassed by the opinions of the other members, and consequently discussion on such an occasion would not only be unnecessary but even improper. Even in this case, therefore, it seems very improbable that the presence of the president would have such influence over a General Court Martial as to induce it to reject such a challenge, if the circumstances stated appeared to render the impartiality of the president in the least dubious.

But, although I have made these and my former remarks, they are in fact unnecessary; for, whatever opinion may be formed with respect to the propriety of the president remaining in Court while it is deciding on a challenge made to him, the constitution of General Courts Martial renders it indespensable, since, were he then to retire, the legal existence of the Court would cease and terminate. Because such Courts are appointed merely from time to time either by the King, or by Commanders in Chief to whom his Majesty has delegated the power of convening them, and the warrant and authority under which they act are contained solely in the warrant granted to the president under his name and designation; and he thus becomes so constituent a part of the Court, that, in case of his absence, no proceedings can take place, and the Court must break up. Were it not, therefore, for the obvious inconvenience that it is so likely to be productive of to the public service, it would no doubt be most advisable that, when an objection was made to the president, it should not be taken into consideration by the Court, but at once referred to the authority by whom the Court was convened.*

I may, also, explain that I have been in the habit of using the term *legal* as applying solely to the fixed rules and decisions of Courts of law, in contradistinction to the practice of Military law and the precedents arising from it. For it has been admitted by the Courts of King's Bench and Common Pleas that the Military law, so long as it is not contrary to the law of the land, and supported by sufficient evidence of established custom, must be recognized as the law by which all persons subject to it are to be governed. But whatever rules have been prescribed by the common law as essential to the due administration of justice, must be adhered to by the Courts which administer Military law; and, consequently, the challenges made at General Courts Martial ought, notwithstanding any practice to the contrary, to be allowed and disallowed according to the rules of the Common law. But, as I have above observed, when such challenges are made, two circumstances require to be considered—the one, whether the cause of challenge assigned is good in law, and the other, whether the grounds on which the challenge is made would amount to the legal disqualification of a juror. On both these points a General Court Martial decides when a member is challenged, but when the president is objected to, the Court can only decide whether or not the objection is such as is allowed by law as a cause of challenge. In either case, however, the questions which arise with respect to the legality of the cause of challenge assigned, and to its being allowed or disallowed, must be proposed to the members of the Court Martial, and decided by the majority of votes, if the Court be not unanimous.

I am, Sir,

Your obedient servant,

V. K.

14th November, 1835.

P. S. As this letter is so long, I leave it to you to add, if you think proper, the following instance of a challenge made to a member of a General Court Martial *on suspicion of undue bias,* as it will shew the manner in which such challenges should be made. It occurred at the General Court Martial held at Bangalore on the 1st November 1809, for the trial of Lieut. Colonel John Bell of the Madras Artillery, who made these objections to one of the members.

"I object to Lieut. Colonel Adams for the following reasons: In the first place, that officer is summoned as a material witness on the part of the prosecution. It is not contended that, where a question of fact incidentally arises on a trial, which lies within the knowledge of one of the members of the Court, that the mere being a member disqualifies him from being a witness. But this rule cannot be extended to principal and leading witnesses without infinite inconvenience. Rendering all homage to the impartiality and honor of Lieut. Colonel Adams, yet being a witness, of whose testimony the credibility is to be determined by the greater or less degree of corroboration it receives from other witnesses on the part of the prosecution, there must, from the infirmity of the human mind, be a slight bias in his feelings, that may incline him to believe the evidence which supports his own, rather than that which controverts or contradicts it. In the second place, the prisoner proposes his objection to Lieut. Colonel Adams on the ground of his having been actively employed in the unfortunate affair of the 11th of August, and this objection he proposes, rather as an appeal to the delicacy of that officer, than as any doubt of his honour and rectitude. If Lieut. Colonel. Adams does not admit the force of it, the prisoner consents to withdraw it."

The validity of this challenge the Court admitted, and Lieut: Colonel Adams was in consequence directed to withdraw.

V. K.

* Even under this Presidency, suppose a General Court Martial to be held at Bombay, by virtue of a warrant from the Commander in Chief who is at Poonah, or on a tour of Inspection; or at Sholapoor under a warrant from the Brigadier General at Belgaum; or at Deesa or Bhooj under a warrant from the Brigadier General at Ahmedabad, and the inconvenience of such a reference in all cases will be obvious.

ACCIDENT.

Last Friday night two fires broke out, one at Byculiah opposite to old Dicks Bunglalow, and the other at Mazagon in Colee waree, but we are happy to say no lives have been lost nor serious injury done.

DOMESTIC OCCURRENCE.

DEATH.

On Sunday the 15th Instant, at the House of Saville Marriott, Esq. Margaret Day Betson, wife of Mr. Alexander Tolmie of Glasgow, and Daughter of the late Captain Day Betson, H. M. 9th Regiment of Foot.

MILITARY ARRIVALS.

ARRIVALS.

Lieut. Col. R. Campbell, 15th Regt., from Kulludghe.
Capt. C. Waddington, Engineers, from Belgaum.
Capt. Carruthers, 2nd Queen's Royals, from land.
Capt. Pontardent, Artillery, from Belgaum.
Lieut. Dalway, Queen's Royals, from Madras.
Lieut. Wingate, do. from Ditto.
Lieut. Ayrton, Artillery, from England.
Capt. George Brown, 7th Regt. N. I. from Eng- England.
Assit. Surgeon Wm. Hardy, from Kandalla.

DEPARTURES.

Lieut. Cruickshank, Engineers to the Deccan.
Lieut. J. W. Hickes, Arty. to Ahmedabad.
Capt. Dunbabin, 22d Regt. N. I. to Belgaum.
Capt. Manesty, 8th Regt. N. I. to Europe.
Lieut. G. Rippon, 21st Regt. N. I. to Malligaum,
Surgeon D. S. Young, Staff, to Hyderabad.
Capt. Gidley, 11th Regt. N. I. to Bhooj.
Capt. Blood, do. do. do. to do.
Lieut. Whitemore do. do. to do.
Lieut. Drummond, do. do. to do.
Lieut. Major, do. do. to do.
Ensign Minster, do. do. to do-
Ensign Willock, do. do. to do.
Ensign Treasure, do. do. to do.
Surgeon Bell, do. do. to do.
Lieut. Col. Payne, 6th Regt. N. I. to Surat.
Asst. Surgeon Ritchie, 26th Regt. N. I. to Malligaum.
Ensign A. Hunt, E. Regt., to Poonah.

SHIPPING REPORT.

ARRIVALS.

Nov. 14th,—The E. I. C. Sloop of War Amherst, E. W. Harris Esq. Commander from Bassadore, 30th Oct. 1835.

Passengers,—Commander Rowband, I. N., Asst. Surgeon Cullen, W. Waller Engineers, three Arabs, and three Native Servants.

Nov. 14th,—Barque Abgarus, Charles Dunbar, Master, from Calcutta 4th Sept., Galle 10th Oct., Colombo, 14th Oct., and Cochin 30th Oct. Saw the Barque Edward, Capt. Nunn, from Penang, ashore on Cochin N. Reef a total wreck; going in for repairs; having been dismasted at sea.

Passengers,—Mrs. Dunbar, Mr. and Mrs. Payne, Lieut. Young I. N. Mr. Christopher I. N., and ten natives.

Nov. 13th.—Brig Lady Wilmot Horton, M. Jacob, Master, from Point de Galle 9th. Oct. and Cochin 30th.

Nov. 13th.—Ship Marquis of Hastings, John, Clarkson, Master, from Portsmouth 23rd July and Cannanore 5th November.

Passengers.—Mrs. James Bruce Simson, M. Naylor, Mrs. St. Bruce Brown, Mrs. Ayrton and child, Miss Anderson, Miss M. Anderson, Miss Hewitt, Capt. Naylor, H. M. 40th Regt. Capt. St. B. Brown, N. I. Lieut. Ayrton, Artillery. Mr. Noton, Assaye Master, Mr. Milne, Mr. Aitchison, Cadet, I Private H. M. 6th Regt. and wife, one Native servant, Capt. and Mrs. Bell and Child, Dr. and Mrs. Neville and Child landed at Cannanore.

Nov. 14th—Ship Morley, J. A. Douglas, Master, from London 26th June, Veilly 4th July, Quilon 1st November, and Tellichery 5th November.

Passengers.—Capt. Carruthers, 2nd or Queen's Royals, Lieutenant Dalway, do. Lieut. Wingate, do. do. Ensign Tonge. do. do Lieut. Stewart, H. M., 20th. Regt. Ensign Robertson, Ensign Gordon, Francis Price, Esq., H. M. C. S. Ceylon, Lieut. Schnell, Assist. Surgeon Murtaugh, Cornet W. Persse, H. M. 4th. Lt. Dragoons, Cornet Douglas Halkett, 8 women and 9 children.

Nov. 17th.—H. M. Ship Rattlesnake Wm. Hobson, Esq. Capt. from Callical 9th Nov.

Passenger,—Gregor Grant, Esq.

DEPARTURES.

Nov. 13th.—Barque Syria, George Bowman. Master, to Liverpool.

Do. 15th.—Ship Dauntless, William Pender, Master, to Calcutta.

Nov. 13th—Ship Lady Feversham, G. Webster, Master to the Cape and London,

Passengers.—Capt, and Mrs. Kier, and 3 children, one native and 1 European servant.

Nov. 13th.—Ship Boyne, G. Richardson, Master, to London.

Passengers.—Mrs. Young, and 3 Children, Mrs. Scott and 2 Children, Lord Chas. Kerr, Capt Manesty, Lieut. Bennett, Doctor Christopher, and 2 Children, Ensign E. Manger, Mrs. Brown, Mrs. Forbes, Mrs. Williams, and European Servants.

HIGH WATER TABLE.

Nov. 1835.	A. M.	P. M.
18th Wednesday	9 8	9 16
19th Thursday	9 40	10 4
20th Friday	10 27	10 50

TO CORRESPONDENTS.

THE Coral case to which one of our friends has drawn our attention, shall be noticed in our next. We should have made some observations on it today, but a press of other matter has prevented us.

WE have received the communication of our Correspondent TRUST, but have not had time to peruse it. We shall notice it on Saturday.

THE GAZETTE.

WEDNESDAY, NOVEMBER 18, 1835.

THE arrivals from sea since our last have been, the H. C. Sloop of War *Amherst,* E. W. Harris, Esq, Commander from Bassadore 30th ultimo; Barque *Abgarus,* C. Dunbar, Master, from Calcutta, 10th ultimo, (touching

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at Point de Galle, Colombo, and Cochin,) ; the Brig *Lady Wilmot Horton*, M. Jacobs, Master, from Point de Galle, 9th and Cochin, 30th ultimo ; the ship *Marquis of Hastings*, J. Clarkson, Master from Portsmouth 23d July and Cannanore 5th Instant ; the Ship *Morley*, J. A. Douglas, Master, from London 26th June (touching at Quilon and Tellicherry) and H. M. ship *Rattlesnake*, W. Hobson, Esq. Capt. from Calicut the 9th Instant.

☞ —Passengers per these vessels will be found under the usual head of shipping report.

By the *Marquis of Hastings*, from London the 23rd July, little addition to our English intelligence has been received.

On the 21st July considerable discussion took place on the Irish Church Bill. Sir Robert Peel moved an instruction to the committee on the Bill, the object of which was to divide the Bill in such manner as would secure a separate consideration for the portion of it which related to the collection of tithe, and to that which related to the distribution of Church property to other than ecclesiastical purposes. Sir Robert's remarks, on introducing his motion, had for their object, the undeceiving the public on the subject of the amount of the revenue of the Church of Ireland, and shewing the consequences which would result to the Episcopal Church establishment in Ireland from the adoption of the principle of the Bill. As will be recollected by our readers, one of the professed objects of this Bill is to ascertain the amount of surplus revenue of the Irish Church, and to appropriate such surplus to the purposes of education. Sir Robert Peel warned the House against adopting this view of the matter, as, by his shewing, as applicable to the details of the Bill itself, there would and could be no surplus, but the rather, a balance which the Government themselves should have to make up to the incumbents. This necessity, he said, would arise from their fixing the minimum salary of a Clergyman at £200, while the expence of repairs of Churches, building Glebe Houses &c. was to be paid out of the Church funds ; and he thought it, therefore, injudicious and premature to adopt the principle of surplus as the basis of their legislation, thus creating hopes which had no chance of being realized.

In the course of his address, Sir Robert Peel expressed himself on the subject of sinecures and pluralities in a manner which would have been very gratifying had he found it convenient to acknowledge the same principles when the country required his assistance, but the admission, at this late hour, of the necessity for the axe being laid to the root of these iniquities, savors more of compulsion than choice. He thus spoke :

" The Bill professes to consult the true interests of the established Church. The true interests of the established Church are not promoted by the defence of sinecures, by the retention of pluralities, or by the existence of gross inequalities in the amount of revenue. I fully admit it, and I am prepared to enter into the consideration of the means by which the establishment, without reference to political ends, or without respect for personal interests—always saving existing ones—may be preserved."

The individual who has thus expressed himself, is, it must not be forgot, the leader and champion of that section of individuals who were and may still be known by the name of—Tories, —(now self elected Conservatives) a class of men whose principles are now almost exploded, but which, when in their more palmy and luxuriant state, flung the shadow of their extended wings over every use and abuse of public power and public property to such an extent, and enveloped in such holy mystery, as rendered it sacrilege even to attempt to withdraw the curtain which concealed them. Church prerogative and priestly power were of the pillars which supported the edifice, and so essential were they to the safety of the entire fabric, that the storm which is now about to consign them to destruction threatens to involve it in one common ruin with them.

Had the expressions used by Sir Robert Peel on this occasion been given utterance to when he had the power,—not only as a member of the Government, but as a man who had influence with the country, to carry them into effect, and had he proposed a scheme for the proper adjustment of the salaries of poor curates in England, and made the Bishops and others of your fat church-men disgorge their inordinate gains for the purpose of paying the working clergy on a scale more fitting their rank in life, and the heavy duties they had to carry through, then should the country have listened with respect to Sir Robert's denunciation of the Church, and its sinecures and pluralities. The Tory and High Church party know too well the fate that is awaiting them,—they know that the Irish Church Bill is but a prelude to an English Church Bill, and they know that a favorable issue to the former is a pledge that the same principle will be applied to the latter.

But what a Babylonish clamor we shall have when the mop is once thrust into the centre of the hive ! From the drone Bishop or bloated pluralist of other degree, to that Reverend Father in God, and of six fat livings, the celebrated Dr. Hodgson ! why, heaven and earth and all the spirits in either will be evoked to protect the loaves and fishes ;—anathema maranatha on the impious despoiler ! But it surely must be gratifying to reflect that that very useful, hard working, and wretchedly paid class of men—the working clergy, are likely at long last to meet with some consideration. We can imagine nothing so calculated to inspire us with respect and sympathy as the condition of that respectable body of men struggling to support themselves and their families decently and with a dignity becoming the order to which they belong, upon a most miserable pittance of salary, and suffering every privation for the sake of that Church of which they are members, and supporting its purity of character in the eyes of the world. These individuals are they who support the true character of the Church, and, in the command they shew themselves capable of exercising over their own passions and feelings, and their long bearing and patience under misfortunes, have we the best proof of the beneficial influence of religion over the human heart. But turn we from them to those who strut in lawn and fine linen, and we see the pride of heart, and vanity, and ambition which lurk under the priestly garb,—we see the Church made a stepping stone to place and power,—we see religion, or rather its name made subservient to purposes of state policy and party and personal agrandizement,—in short we see that the Church of England is in that state which, for the sake of the Christian religion, it ought not to be. The High Church party are aware of this ; they are also aware that the country has set its mind on a complete reformation, and they but truly consider the attack on the Irish Church establishment as the the fore-runner of the fate that awaits them.

Spring Rice spoke in favor of the Bill as it stood, and one or two others spoke for and against it, but it would not appear that the debate had closed at the date of the accounts received.

There was rather a novel motion made in the House of Commons by a Mr. Grantley Berkeley on the 16th July last, but from the reception it met, it is to be supposed the greater number of the members were prepared for it ; the motion was " that a select Committee be appointed to " consider the best means of setting apart and " adapting a portion of the stranger's gallery " for the admittance of ladies during the de- " bates"—

For the motion . . . . . 153.
Against it . . . . . 104.

Majority for the Ladies . . . 49.

A Committee was immediately appointed, and the new House of Commons will accordingly have a portion of the room set apart for seats for this new and interesting class of hearers. We shall doubtless have some of them returned to Parliament by and bye.

In any of the late Papers we cannot find any mention of the China affairs, or how the Government intend supplying Lord Napier's place. The affair of his death, and the circumstances under which it took place, seem not to have received the slightest attention.

While speaking of China we may notice the intended alteration in the duties to be levied on Teas imported into great Britain. It is now proposed that a fixed duty of 2s. 1d. should be levied from and after the 1st July 1836, instead of the duties of 1s. 6d. 2s. 2d, and 3s, levied on Teas according to their quality as formerly, thus shewing that the ad valorem principle was not adapted to the nature of the Trade, and would not work.

As we stated in our last, the report of the change of Ministry had no foundation other than in the fancy of some writers in the London Press. The Irish Church Bill was said to be the rock on which the Whigs had split, his Majesty having refused to sanction it, but it is now stated that His Majesty has sanctioned its introduction into the House of Commons. But to either circumstance there is very little importance to be attached. We may find a solution of the difficulty in the answer to the question " Has His Majesty forgot the circumstances under which the present Ministry came into power ?" Unless we suppose he *has* done so, or that there is something worse the matter, it is not to be thought of for an instant that he would disturb the tenure of his present advisers.

We would beg to draw the attention of our Military readers to Colonel Kennedy's letter which appears in to-day's columns. It points out clearly and fully the course to be pursued in the case of a challenge to the president of a Court Martial, and contains other very valuable instruction.

We have to thank Colonel Kennedy for his attention in favouring us with his present letter. It fully explains what appeared (to us) somewhat obscure in his former communication.

We are sure our correspondent *Lacon* will agree with us in thinking it better to allow the subject of his letter to drop. Were the affair still pending, some good might be done by exposure, but as it is, further notice would only irritate, while it might prejudice the individual affected, still further.

The authority alluded to has had sufficient warning, and we can only hope he will benefit by it.

We presume our Correspondent Justice alludes to the committee reported to have been lately investigating matters connected with Captain Simpson's office. We are at a loss how to answer his question. Knowing as we do the whole circumstances of the former investigations on the same subject, (we are informed they are the same) we must say we consider Capt. Simpson's case to be one of peculiar hardship, and we would beg those who may be inclined to differ from us in opinion to peruse the proceedings of the first and second committees held for the purpose of investigating the circumstances with which Capt. S's name is so much mixed up. We must suppose there is some apparently good reason for again raking up the matter, but for the better and more perfect understanding of any new evidence, we would direct the attention of those interested, to the evidence given by certain parties before the second Committee, and, if they would also take the trouble of comparing that evidence with the evidence given by the same individuals before the first committee, they might be able the better to appretiate the worth of that now offered,—at least they might, from all the circumstances,—learn a few particulars which it may import them, in their present investigation, to know.

Our Correspondent puts in effect the following question : supposing it to turn out that unfair means had been resorted to in getting up the charges, would the Government take any steps to bring to speedy and condign punishment the individuals who were implicated in so foul a conspiracy ? To this suppositious case we are somewhat at a loss to find an answer. The Government in itself has no power to bring the parties to punishment, but if any of the individuals are it's own servants, it of course can visit its displeasure on their heads by discharging them from the public employment. Nor, from the manner in which the evidence is given before Committees (the Committee having no power to administer an oath, and the evidence being secret in its nature) can the parties be brought before another tribunal, for the conspiracy, and thus they pass with impunity, leaving the work of retribution to time and other circumstance.

In such case all the amends the Government can make is, to declare, by the usual course of public notification, that the individual who stood affected by the charges has been honorably acquitted.

As regards the present investigation (supposing it to have relation to the former one, or otherwise) we have little doubt, should the evidence offered appear to be the result of conspiracy, the Government will take the most effectual means in their power of punishing the individuals concerned, and relieving the character of the accused party of any stain which the charges might be supposed to attach to it.

The Right Honorable the Governor held a levee in the Town Hall on Monday last at 11 o'clock, when the following Europeans—Officers in H. M. Service, in the Hon'ble Company's Military and Civil Services, and persons Resident in Bombay, had the honor of being presented to His Excellency.

Messrs. Wedderburn, Farish, Doveton, Baillie, Warden, Marriott, Morris, G. L. Elliot, E. E. Elliott, Bruce, Taylor, Bell, H. Hebbert, and W, E. Frere.

Col. Frederick, Lt. Col. James, Major Jebb, 40th Regt. Capt. Coddington, 40th Regt Bt. Capt. Miller, 40th Regt. Capt. Boscawen, 40th Regt. Capt. Curtin, 40th Regt. Capt. Valiant, 40th Regt. Capt. MacDuff, 40th Regt, Capt. Adamson, 40th Regt. Lt. Wakefield, 40th Regt. Mr. Fyers, 40th Regt. Mr. Mortimer, 40th Regt. Mr. Bacon, 40th Regiment, Mr. White, 40th Regiment, Mr. Bowen, 40th Regt. Capt. Jameson 4th Regt., Capt. Parr, 7th Regt. Major Robertson, 8th Regt. Mr. Cristall, 8th Regt. Mr. Cotgrave 8th Regt. Mr. Grey, 8th Regt. Mr. Hathway, 8th Regt. Capt. Parsons, 8th Regt. Captain Parsons, 11th Regt. Lt. Col. Campbell, 15th Regt. Mr. Mathews, 15th Regt. Mr. Bell, 15th Regt. Capt. Penley 16th Regt. Mr. Jebb, 16th Regt. Lt. Munro, 16th Regt. Mr. C. W. Edwards, 16th Regt. Mr. C. A. Stewart, 16th Regt. Mr. G. S. Brown, 16th Regt. Mr. C. P. Lynch, 16th Regt. Mr. C. Giberne 16th Regt. Mr. S. Landon, 16th Regt. Mr. C. Burnes 21st Regt. Mr. M. Gregor, 21st Regt. Mr. Hale, 22d Regt. Lt. Ottley, 2d Lt. Cavy. Mr. Hailes 3d Lt. Cavalry, Capt. Laurie Artillery, Mr. T. P. Weekes, Dr. Smythan, Mr. J. Scott, Major Ovans, Lt. Col. Powell, Lt. Col, Barr, Major Miller, Captain Henderson, Captain Burnes, Captain LeMessurier, Captain Neil Campbell, Captain W. H. Foy, Mr. William McCallum, Captain Swanson, Captain Osburne, Captain Mant, Captain A. F. Johnson, Lt. Col. Hughes, Captain A. W. Pringle, Commander Sawyer, I. N. Captain Stribbling, Captain Simpson, Captain Rowband, Lt. Frushard, Mr. Drayton, Mr. Darlington, Mr. Weems, Mr. Waldron, Mr. Jardine, Mr. J. Rennie, Mr. J. C. Ibbs, Mr. Hayman, Mr. Harburton, Lt. Williams, Mr. Cruttenden, Mr. Kempthorne, Mr. Sheppard, Commander Haines, Mr. Stockham, Mr. J. W. Ryan, Mr. A. C. Forbes, Mr. G. Pope, Mr. Payne, Mr. Little, Mr. Finlay, Mr. Graham, Mr. Johnson, Mr. Downy, Mr. J. Patch, Mr. Philipps, Mr. J. Ross, Mr. G. Noton, Mr. Nicol, Mr. MacLeod, Mr. Fraser, Mr. W. Allen, Mr. Roberts, Mr. Noton, Mr. William Young, Mr. Clarke, Mr. J. P. Larkins, Mr. G. Lungley, Mr. Lewis Grant, Mr. McCarthy, Mr. Beckwith, Mr. Davidson, Mr. Allen, Mr. Barra, Mr. George Coles, Mr. Willis, Mr. Woodhouse, Mr. J. M. Macdonald, Mr. A. Aitchison, Captain Waddington, Captain McGillivery, Lt. Graham, Colonel Russell, Lt. Col. J. Griffith, Major Moore, Captain Pontardent, Captain Jacob, Lt. Farquharson, Captain Sinclair, Captain Lloyd, Mr. Grant, Captain Declezieu, Mr. G. H. Davis, Mr. C. Berthon, Mr. Grant, Mr. C. M. Nixon, Bishop Prendergast, Revd. John Wilson, Revd. W. P. Fletcher, Revd. Henry Jeffreys, Revd. D. Young, Revd. J. Stevenson, Revd. C. P. Williams, Revd. J. Taylor, F. Lewis, M. D. V. G. Dr. Kays, Mr. Stuart, Revd. E. P. Williams, Dr. Ruschanberger, Mr. Fogerty, Mr. Montifiore, Captain H. W. K. Beyts, Mr. Gildesborough, Surgeon, McLennan, Lt. W. D. Graham, Captain Short, Mr. Aristall, Mr. Brownrigg, Captain Coghlan.

At 2 o'clock His Excellency held a Durbar, when the following natives,—principal inhabitants of Bombay, had the honor of being presented.

Jagonathjee Sunkersett Esquire, Framjee Cawasjee Esq., Nowrojee Jemsetjee Esq., Dhackjee Dadajee Esq., Bomanjee Hormusjee Esq., Mahomed Ibrahim Muckba Esq., Jemsetjee Jejeebhoy Esq., Mahomed Allee Rogay Esq., Dadabhoy Pestonjee Esq., Hurmusjee Bhicajee Esq., Cursetjee Rustomjee Esq., Venaik Rao Gungadhur Shastree, Cursetjee Jemsetjee, Jeejeebhoy Dadabhoy, Munmohundass Daveedass, Pestonjee Framjee, Janorthon Ramchunderjee, Luximon Govindjee, Luximon Hurrychundjee, Ragoba Jewajee, Munsoodeen Pulowker, Manickjee Cursetjee, Venkajee Meerjee Tarapoorwalla, Manickjee Limjee, Nowsary Desaee, Dosabhoy Monshee, Ally Moohummud Khan, Abdoor Ruheem Khan, Hajee Saleh Khan, Aga Moohummud Ruheem, Aga Moohummud Jaffer, Aga Syud Moohummud Hadee Meerza Ally Jan, } Sons of the late Muohummad Meerza Jaffer, } Jan,
Akbur Allee Khan of Mazagon, Kazee of Bombay, Koodboodeen Saheb, Moolla of Borahs, Kazee of Sudder Adawlut, Sheristedar of Ditto, Government Vukeel of Ditto, Shastree of Ditto, Nazer of Ditto, Moonshee Moohummud Yoosoof of Scind, Hajee Moohummud Syud Purkar, Hajee Mohummed Ally Suffer, Mohumdass Madowdas's son, Ragoonath Crishna Josee, Nanjee Seskhurn, Jewerchund Atmaram, Heskill Abdoo Nubbee, Eliah Hyim, Heskil ibu Sassoon, Davood Sassoon, Moosha Ezra, Shreecrashna Wassoodewjee, Dyaram Kesundass, Janordun Wassoodewjee, and Nowrojee Framjee, } late west Scholars,
Narrian Dinnanath, Venackrow Rumchunder, Wassodewjee, West scholars.

MADRAS.

CAPT. RICHARDSON.

Some of our readers have conceived that the affair of Captain Richardson has escaped our attention—we beg to assure them that such is very far indeed from being the case : but we still lack some information, that shall enable us to lay it in its full, plain, and intelligible bearing before the public. We will now only observe, that the order, as a whole, which excluded him from his Paymastership and branded him with dishonour, appears as disingenous as it was arbitrary ; and that, however deep is the incision on his reputation it is sought to make, the information we already have shews that *no moral stigma* remains behind.—*Madras Herald, Nov.* 4.

A Letter from Vizagapatam, but of a date as far back as the 23rd Ultimo, speaks of the attitude of defiance assumed by the Goomsur Rajah and the force to be marched against him. It is under Lieut.-Col. Hodgson, with Lieut. Colonel Muriel second in command, and its Head Quarters at Aska —a Company of Golundauze, with four light mountain Howitzers, and a small party of Sappers and Miners. were expected to reach this place of rendezvous about the 25th or 26th : and active operations would be at once commenced, as the monsoon, in those regious is generally over about the end of October.—*Ibid.*

We find that we committed an error in our last, regarding the conversion from a Church into a Cathedral of St. George's. in supposing that it changed its appellation to St. John's—it still retains its former title,—*Ibid.*

CALCUTTA.

The *Hattrass* was spoken in latitude 14 N., longitude 88. 44 E., on the 21st ultimo, the Bishop and all on board, well.

We understand that a letter has been received from Mr. Branch Pilot Clarke in command of the vessel, which mentions, that for three days after leaving the pilot, they encountered " dirty weather" with the wind from North-east to East, as far as latitude 16. 35 N. and longitude 86. 28 E., and had since met with light variable winds, chiefly from the Southward. From the expression used " dirty weather," we should not infer that the *Hattrass* experienced such a gale as was felt in the Hooghly,— *Bengal Hurkuru, Nov.* 2.

We learn from a letter just received from the Camp near *Poondy*, that the Field Force proceeding against the Rebellious Rajah of Goomsoor expect to fall in with their opponents in the course of the present week, and that they hear of 4,000 hill people being now in arms, and that the Rajah has removed his treasure (about two lacs) to a Hill Fort which our force expect to get possession of before the month ends.—*Ibid.*

THE MILITARY MOUTHPIECE.

No. IV.

A Series of letters which have been recently addressed to His Excellency the Commander-in-Chief, by the Editor of the Englishman and Military Chronicle.

Ne vile Fano.
Motto of the Westmorland Family.

One of the subjects of military legal discussion which arose out of the case of the Kurnaul Artillerymen, already adverted to, always appeared to us to be of very great importance, inasmuch as it seemed calculated, if decided in *one* way, to alter the very constitution of courts martial, and to derive their jurisdiction,—their very principle of judicial life, in fact,—from a different source to what the legislature contemplated ; and as no decision has as yet been promulgated to the army, for the guidance of future courts, and as, morever, the military tribunals of Madras and Bombay, and the legal authorities there, act and pronounce differently from those of the Bengal presidency, we consider the matter worthy of being brought especially under your Excellency's notice. We have already said, that courts martial had jurisdiction given to them in all (civil) criminal cases, by the second section of the Company's Mutiny Act ; and we maintain what we are sure is undeniable, that if the section were repealed, and no other substituted, courts martial would cease to have the jurisdiction in question. But there are some who argue that they derive their right to take cognizance of those cases from the 9th Geo. 4th c. 7th ; thus confounding the conferment of jurisdiction, with the specification of crimes and punishments ! If there were *no* clause in the Mutiny Act giving courts martial power to try civil offences, is it pretended to be said that the 9th Geo. 4th c. 14, would give them power ? The

(Continued after the Poetry.)

POERTY.

SCENE—MALLIGAUM—CANDEISH.

I

Where Moosa rolls its gentle wave
Hard by the rampart and the grave,
Where mouldering wall and turret grey
Tower forth in majesty and pride;
There, many a gasping warrior lay,
There, many a hero nobly died.
The fragments of the shattered stone
From battlement and archway thrown,
Bespeak not work of time alone;
The deadly breach is yawning yet
Like jaws distended o'er their prey,
And few the suns that there have set
Since that unhallowed space was wet
With blood that gushed in many a jet
From hearts that mingled in the fray.
The light which gleams from other days
O'er fancy bursts in brilliant rays,
And every varied tint it gives,
On memory's glowing tablet lives:
Till pictures of ideal graee
Each fainter image may replace,
And bid the past and present fade
Within the world itself has made.

II.

A Lordly chief was Gunput Row;
To sovereign prince he owned no vow.
He paid no tribute; bent no knee,
But in his native fortress free,
He laughed to scorn the Moslem's ire;
Ten thousand vassals called him sire,
A hardy race inured to toil,
To check the foe and seize the spoil,
With many a ready brand to wield
Around their chieftain in the field.
Full fifty years had rolled away
Since Gunput first beheld the day;
But in that eye of fire the trace
Of untamed spirit still held place;
His sunken cheek, his forehead bare,
His thick moustach of grizzled hair,
Bespeak not life of worldly ease,
Tho' his the figure formed to please;
Time had but robbed a grace, or two,
To give more dignity to view,
But had not altered form so true.
Yet who would bow to outward form,
That loathsome banquet for the worm!
Which we must furnish with the rest,
When once the grave has claimed its guest.
The stronger spirit still will bind
The weaker to its powerful mind.
And his the daring thought and deed,
That would not follow, still would lead;
Which bent all others to his will;
Not by stubborn strength, but skill.
Yet when its stirring task was o'er,
That spirit slumbered as before,
And should the eye behold him then,
He seemed no more than other men.

III.

At noon assembled in Durbar,
A hundred trusty warriors rose;
To hear their chieftain talk of war,
And vengeance on their country's foes.
Yet met not there to lend their aid,
Or counsel what their sovereign said;
For well they knew he would not brook,
One comment on the course he took.
And yet with dignity and smile,
He seemed to court, tho' gave the while,
Directions to the chosen band,
Who came to wait their Lord's command.
"My long tried friends I would that we,
Whose swords have kept our country free,
Could now repose from wars alarm,
And rest a while our wearied Arm.
But enemies till now unknown
Have come to make these realms their own.
Far in the regions of the west,
Dwell nations of a hue unblest,
Pale as the very moon from fear,
Like demons from the lower sphere;
And numerous hordes from thence essay,
To take our very name away.
Come when they may, to strike the blow,
In us they'll find no timid foe.
No quailing eye will meet them here,
No fluttering pulse betray our fear.
They little dream that ours the life,
Which soars ennobled in the strife;
And eagles scarce can swifter fly
Than we, to meet our enemy.
These foreigners possess the art
Which gains, and yet corrupts the heart.
The subtle speech, the crafty smile,
Which conquer not by strength, but guile.
And yet were Hell to open here,
And all its countless fiends appear;
These last I'd welcome as a guest,
In preference to such hornet's nest,
Of smooth exterior, sting within,
And faith no deeper than the skin.
Compare these men with those who brave
The fierce encounter and the grave,
For home and country, wife and child,
O! say, does not each nerve run wild
To save from foul embrace and death,
The offspring of our very breath.
Ties such as these, now call on all,
To bravely live, or bravely fall.
Away Ram Singh on fleetest steed,
Away to Lulling Fort with speed,
And tell its chief, its trusty band
Must guard the pass on Omiahs land.
For there are enemies at hand
Who creep like reptiles in the grass,
To gain command of dell and pass.
And thou Pursaud, with fifty men
Assembled from the nearest glen,
In garb of sainted Fakeer go,
Within the camp of this our foe;
And thro' each hour of night and day,
Tidings of all their plans convey;
To thy known skill the rest I leave,
Thou never didst thy prince deceive.
Let Gokla with his troopers ride
The plain below the mountain side,
And thou Bowanee with thy clan,
Three thousand matchlocks form the van;
The rest shall follow where I lead,
Thro' tangled brake and jungle reed.
We seek not now the open field,
But let the covert be our shield;
And cause these strangers 'gainst their will
To own at least our rustic skill.
To you the counsel that I hold,
Is not as wont; so firm and bold.
But cautious hand must curb the rein,
Nor let our strength be spent in vain.
Nor do I deem that counsel wise,
That on its strength alone relies,
And may superior art despise.
But we must marshal all our men,
For time is precious—part we then
Till danger calls us to the field
To fall or conquer—not to yield."
Thus spake the chieftain—none dispute
The words he uttered; all are mute,
Till plumed and turban'd warrior rose
Bowing obeisance as he goes.

(To be Continued.)

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idea is preposterous, and can only be made tenable even in the opinions of those who entertain it, by extending the meaning of the phrase 'His Majesty's Courts of Justice,' so as to include within it our evanescent courts martial; though neither the legal, the technical, nor the colloquial, use of the term has ever been heretofore considered to have any such signification. The fact is, that as the second section of the Mutiny Act gives authority to courts martial to try all offences capital by the laws of England, and as the 9th Geo. c. 4th informs us what those offences are, and how punishable, we refer to the latter act of course, *not* for jurisdiction, but to ascertain precisely what it is to which the *already conferred* jurisdiction extends. The forms of court martial procedure are in no wise altered with a view to these new cases; but we try them exactly as we should try military offences, which, observe, we could not lawfully do, if we derived power over them from the 9th Geo. 4th instead of from our Mutiny Act, or even in any degree conjointly with that Mutiny Act; for such admixture would paralyse us altogether, by the conflicting nature of its component parts. The error, however, having been acted upon by one of our most experienced judge advocates, see what it led to. By the 27th section of the 9th Geo. 4th c. 74, it is enacted, that, in specified circumstances, the convicted offender shall be asked what he has to say why judgment of death shall not be *recorded* against him; and on the trial alluded to, the court first *pronounced* sentence of death, and then commuted its own (unconfirmed) sentence to one of transportation, in an attempt to act in accordance which the provisions of an act which neither intended, nor had the power, to alter the customary forms of court martial procedure.

Now, your Excellency at once perceives, that, if the court acted even according to the last quoted section, it must have first found the prisoner guilty, and then called him in; and by asking him if he had any thing to urge against a sentence of death, not only informed him, against the *spirit* of their oath, of what had been their *finding*, but also against the *letter* of it, of what was going to be the sentence; and went on to usurp the Commander-in-Chief's power of commuting their own sentence, and leaving him to confirm their commutation! Such a series of incongruities, were actually confirmed (it *must* have been without the obtained opinion of the Government law officer, or of the iudges,) by the then Commander-in-Chief, who, indeed, had no sound knowledge of any thing military; and the fault was never detected nor questioned (lawyers and judges taking little interest in court martial affairs) until brought prominently into notice by one of our own correspondents. Your Excellency cannot possibly be at once familiar with these points, because there is nothing similar to them in relation to home courts martial, and, therefore, we have endeavoured to give you a concise and fair view of the whole question, which a reference to our columns will bring before you at full length. But there is one matter not touched upon by the disputants which is, in our minds, sufficient of itself to decide the argument *against* those who contend for courts martial being indebted in any degree for jurisdiction to the 9th Geo. 4th. It is this: by the 59th section, and several others, of this last named act, the punishment of death, upon simple conviction, and apparently leaving no discretion to the court, is directed to be inflicted. In the Supreme Court then, for example, if the jury once gave in a verdict of guilty, the judge must, or at least might, pronounce sentence of death, and so must, or might, a court martial, *if* it may be in any respect, as to procedure or jurisdiction, governed by the above named act; but behold the clash of authority which would immediately ensue, and which would leave the military tribunal vacillating between two opposing and equippolent powers. By the 27th section of the Company's Mutiny Act it is laid down that *no sentence of death* shall be given against any offender, by *any* general court martial, unless nine officers present shall concur therein, or two-thirds at the least of the officers when the whole number of the court shall be other than thirteen From this, then, it is evident, that in no case, not even in murder, can a sentence of death follow, as a matter of course, a court martial's verdict of guilty; so that, among other incongruities created by the opposing side, an offender is to be asked if he has any thing to urge in bar of sentence of death which the court itself can be by no means certain, *will* eventually be the result of the votes! It is easy to conceive a case wherein five or six members shall acquit a prisoner accused of murder, or find him guilty of only manslaughter, or of justifiable homicide; and where they will refuse to vote for a sentence of death, on the finding of a bare majority. The minority would be wrong, no doubt, in so refusing; but still if they persevered, then no such sentence could be passed; and though this would be a legal difficulty, still it would be less mischievous than the entire alteration of the forms and proceedings of courts-martial which would result from an illegal abandonment of the Mutiny Act as our authority, and a flying to the 9th Geo. 4th to procure, *pro re natâ*, a power at variance with their constitution, which in no way adapts them for assimilation with the Courts of Civil Law. The 102nd artide of the Annual Articles of War now subsisting, is in some respects essentially different from, though the same in general principle as the 2nd section of the Company's Mutiny Act; for it seems directly to disregard the 6th Geo. 4th, c. 74, by giving power to courts martial to adjudge transportation for life, or a term of years, in *all* cases wherein any soldier may be convicted of *any* offence punishable with death,—a powerful proof, that the 9th Geo. 4th is not considered referable to by military courts except for the ascertainment of *what are* capital crimes, &c., by the laws of England*, We feel certain, that your Excellency will not underrate the importance of these questions, whatever degree of appreciation you may bestow upon our opinion; and, in that conviction we shall, for the present, withdraw from the discussion of them, and proceed to what is probably of more general interest, though of infinitely less vital consequence to the public; viz. the use or abuse of your Excellency's patronage.

The army have heretofore been constantly and particularly disgusted with the unvarying manner (for the exceptions are too few to amount to decided variety,) in which both the Governor General's and Commander-in-Chief's military patronage has been lavished upon persons possessing interest, in the teeth of direct or implied assurance, that mere merit should have *its* due proportion. We, for our own parts, think that disgust well grounded and natural, not because we expect to see a sort of Utopian human nature in any patron, but because no person has, we conceive, any right to make promises, by expression or implication, from which he must feel conscious he is about to deviate. Those assurances are not called for; and they have so often been given, and never kept, that they are not now viewed by the army with a bit more respect than are the vows of a tipsy man, that he is perfectly sober, or that 'lovers perjuries' at which Jove is said to split his heavenly sides with laughter. Two things are certain, viz. that your Excellency must have friends of your own to serve, and that those friends (or their nominees) are as likely to be fit for the mass of staff situations as any who are indifferent to you; for interest does not annihilate merit in the individual, though it manages to push people on in the world without any such incumbrance. Only a Commander-in-Chief should not volunteer an assurance to merit that he does not intend to pay any regard to mere interest; and merit, as the world wags, will have no right to complain, though he may utterly banish him from his patronising thoughts: but if he crams him with spontaneous promises, which have only the frangibility, without the better qualities of pie crust, can we wonder if he murmurs when he discovers his superior's hypocrisy? There are many officers of this army who can plead long and zealous and useful service; and many who are known to be possessed of strong ability in various ways; and many who can plead a union of great ability and valuable services; yet because they have no interest from home, and are not blessed with the affection of the head quarter staff, or the active friendship of some other influential person in Calcutta; they are totally without a hope of having their services rewarded by preferment, or their peculiar abilities called into operation: while they behold others, totally devoid of all claims arising from either length of service or more than mediocrity of talent, pampered with places and salaries, and exhibited to the army as the living proofs that the promises respecting merit have been assiduously fulfilled. Your Excellency has, of course, a heap of recommendations, to many of which, at least, you mean to attend; and, we confess to you freely, that we should consider you a cold-hearted, unworthy *man* (mind, we don't say Commander-in-Chief,) if you did not; for

> 'Breathes there a man with soul so dead,
> Who never to himself had said,
> This is my own, my bosom friend?

and who would refuse to do aught, in honor, to give that friend gratification? But the army would be well contended, if it discerned it to be your way, when you have no protegé eligible to fill a certain vacancy (say in the quarter master general's line,) which requires some peculiar qualification, to enquire from the head of that department* as to what officer is the best qualified for the post and to intimate to him if, as your means of information encreased, you discovered he had knowingly recomendey a favorite of his own, less fit than some one else who was *not* a favorite, you would make him sharply responsible for the same;—if this were known to be your Excellency's modus operandi be assured those under your command would be content with that degree of public virtue, and would not require so much of you as the weakness, or even the amiableness, of human nature would make it unreasonable to expect. But your Excellency must necessarily *lean* a good deal on your *staff*; for were are you, for a time at all events, to learn the fitness of officers to command regiments; the necessity for the removing some who may be injuring their corps; or the claims of majors to regimental commands; and, generally, the characters of regimental officers; except from your Adjutant General? You will take a tour of inspection no doubt; but you cannot learn much upon these matters by that process, and you are, therefore, left generally in the power of the heads of departments, who, of course have their own favorities, both in men and measures, and who expect to have (and who ought to have) some degree of influence in recommending candidates in their respective lines of office. But if you appear anxious to promote able men, and prone to make enquiries, as opportunity presents itself, in various quarters, for your self, you will soon establish an official character which will, of itself, go far to insure you against being much imposed upon by malevolent representations. We must resume this part of our subject, in an ensuing number.—*Englishman and Military Chronicle, Sept.* 17.

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* That this is a full extent of legal use a Courts Martial can make of the 9th Geo. 4th may be gathered from the preamble, which declares that that act shall extend to 'all persons and all places, over whom or which the criminal jurisdiction of His Majesty's Courts of justice does or shall hereafter extend.' Now, the said criminal jurisdiction, by the Mutiny Act for the Company's forces, does *not* extend over officers and soldiers, who may perpetrate criminal offences any where beyond the distance of one hundred and twenty miles from the several presidencies. For our own parts we look upon this as conclusive of the question respecting the legality of courts-martial altering their usual forms of procedure in order to meet any of the modes laid down in that statute. And we take this opportunity to remark, with reference to the mention, in a previous note, of your Excellency's responsibility, in regard to the execution of sentences of death confirmed agreeably to the act; that it is a question, whether, in such case, the commanding officers of divisions, who might be necessary to the execution, would not, as well as their superiors, be indictable for murder.

* In mentioning heads of departments, in this incidental or illustrative way, we are not to be understood as alluding to those now holding such situations, but only generally, and with reference to no particular time. From any thing approaching to undue partiality, or inefficiency, or malversation of any kind, we are certain, no officers can stand more clear than Colonel Dunlop, the present quarter master general.

THE CLAIMS OF THE INDIAN ARMY.

'If an honest, and I may truly affirm a laborious, zeal for the public service has given me any weight in your esteem, let me exhort and conjure you never to suffer an invasion of your political constitution, however minute the instance may appear, to pass by, without a determined persevering resistance. One precedent creates another. They soon accumulate, and constitute law. What yesterday was fact, to day is doctrine.'

JUNIUS.

Until the Indian armies respect themselves, let them not count upon obtaining that of their brethren in arms of the British army, or the respect or consideraion of their rulers either at the Horse Guards or Leadenhall-street. The man who allows himself to be treated with disrespect and injustice, without resorting to *every means* in his power to repel them, virtually acknowledges that he deserves no better treatment. The same principle holds good with armies. Let then these armies draw their pens, nor lay them aside until they have obtained a full and satisfactory redress of all their grievances;—until they have obtained a return to the *guaranteed*, '*fixed*' allowances of 1796,—until they have obtained brevet rank for cadets from the dates of their quitting England, or arrival in India; an exemption from supercession by his Majesty's army; a fair proportion of general officers; a resumption of their proper commands; a commander-in-chief of their own bodies with a voice in council; a restoration of their batta; permission to proceed to England or Europe in like manner as to Cape or New South Wales;—not one of these but is supported by reason and justice. Let no commanding officer of a regiment bring a soldier to trial until the just and proper authority belonging to his station is restored to him. Government have sufficient power to punish any one who should be found to abuse it. Let the restrictions upon officers and soldiers availing themselves of the resources of the country, when moving, be taken off, and afford to *them* the same facilities comfort and convenience as are enjoyed by all other classes of the community. It is sufficient they should be restricted when the urgency of the case requires it,—when they take the field. Men whose lives are held at the disposal of the state, are peculiarly entitled to *every* comfort and convenience they are willing and able for. In fact, let them adhere closely to my motto, and they will obtain the consideration and respect of the state they serve, and that state will find them in the day of need, a bulwark against all threatened danger, whether from within or without, instead of what they now are—a dangerous, disaffected instrument inefficient as the sole means of ruling this vast empire (and it is by this instrument alone that it is upheld for a moment,) and liable to be converted to its destruction. The Government of this country rests upon a mine, which it has itself charged; every other stay withdrawn, the loyalty alone of even British officers, is not a sufficient security against its being exploded, and, in a moment, overwhelming, in one general ruin. the fabric of a century. Let them unite, and let petition follow petition, until they make their voices heard, and respected, by the whole British nation. Justice *must* be granted them, if they are only sufficiently unanimous and persevering in their demand for it. India is too valuable to the crown of Great Britain to risk its certain loss by continuing to treat its defenders as slaves, when they shew themselves deserving of freedom. Should they be reminded of the allegiance due to their country; let them tell this country they owe it no allegiance. Their country, after the best years of their lives have been spent in acquiring and upholding what constitutes the brightest jewel of its crown, discards them when they are no longer able to serve it. It refuses them the rank among its servants so dearly earned, 'takes off your impress of gentlemen,' and sinks you from the station it had granted when decaying nature refuses longer assistance to its interests.

LUMEN.

EUROPE.

THE THREATENED COUP D'ETAT. INTENDED DISMISSAL OF THE WHIG MINIST RY.

(From the Morning Chronicle, July 14.)

It is now no secret that the late change of Government was as *un*popular with the Court as it was popular with the country. From the day of the present Ministers entering upon Office they have been subjected (if report speaks true, and it has often been the boast of the Tory Papers) to one series of cold neglect and studied incivility. The usual dinners and fêtes given at this season at Saint James's are said to have been suspended, to mark the dissatisfaction of the Princes and Princesses, and Lords and Ladies, of that anti-national colony with the victory recently gained by the people over their enemies in the House of Commons. Some two or three of the Ministers may have been invited on rare occasions to the Royal table, as an exception to the general rule of their exclusion, but we have observed that no Minister, reported in the Court Circular to have gone down to Windsor on public business connected with his department, has ever been admitted to a night's lodging in the Castle, except we believe Lord Palmerston, when in attendance on the Prince of Naples, while the Palace has been crowded with the usual host of Tory parasites and dependants. Every one knows the use made of this uncourteous conduct by the Tory press and the encouragement it has given to an active and bitter opposition to the King's Government. But matters appears to have proceeded further in the course of last week. At a Court held at St. James's, for the purpose of swearing Sir Charles Grey, one of the Commissioners to Canada, into the Privy Council, his Majesty, acting no doubt on the instigation of the unconstitutional and evil counsellors by whom his Court is constantly infested, so far forgot himself as to address personal orders to Sir Charles, at variance with the advice which had been given by his constitutional Ministers,

and impugning their conduct and opinions with reference to the all-important mission to which that gentleman had been appointed. This unbecoming scene took place in the presence of the Household, and the other usual attendants of the Council, and was of course immediately the topic of conversation in the clubs, and the theme of great glorification in the opposition papers. In like manner, after the review on Friday last, at a dinner to about seventy officers at St. James's, various toasts were given, and extraordinary speeches made, which, if we are to credit the version given of them by the Tories, were distinguished by the most hostile feeling to the actual Government, and the most marked expression of favour and partiality to their opponents, other symptoms of the same feeling, and of the interference of an unconstitutional cabal, are visible in other quarters. Royal Dukes are said to state boldly and without disguise, their knowledge that the Royal assent will be withheld from some of those important measures now before Parliament, for the introduction of which the King has signified his consent through his Ministers, and the most exaggerated reports of unadvised conversations and communications with persons having no right to approach the Royal presence on such subjects, are spread with an eagerness and a zeal only to be accounted for by the confidence which the cabal entertain of the result of their intrigues.

We do not accuse the Duke of Cumberland or others of his royal relatives, either male or female, directly or indirectly, of mixing themselves up with these proceedings; but we advise them, as sincere and attached friends to their family, and to the principles which placed and can alone maintain them on the throne of these realms, to be more cautious and circumspect in their conduct and language, in the critical circumstances of this nation.

We ask, to what must such a state of affairs lead? Can men of any party possessing common sense, or the least knowledge of, or respect for, the institutions of the country, think that any thing but unalloyed mischief can flow from it? The King after indulging in what can scarcely now be called in any quarter a discreet exercise of his prerogative, in November last, and which has nearly destroyed the best confidence in the stability of all government, was obliged to have recourse to his old Ministers to save himself and the country from another crisis of the greatest danger. In again throwing himself upon them, and accepting their assistance, he was bound, upon every principle of honour and good faith, to give them his entire and cordial confidence and support. Scarcely seated in their places, they, according to the most accredited reports, experienced on the contrary the conduct we have described, and they find the otherwise nearly overwhelming difficulties of their position aggravated by the venomous and malignant intrigues of a cabal at Court. Will the country endure this?

The Tories tell us that the 21st of next month is fixed for the dismissal of the Government. If the feelings imputed by these reports to his Majesty with respect to his Ministers, are correctly represented, it would be hypocrisy to tamper with the country for a single day longer, by appearing to give them a hollow and unreal confidence. We hope another explanation is not necessary to solve the difficulty: and that the workings of the cabal on the Royal mind may not have produced a grave calamity, to which it might be indelicate further to allude.

Lord Melbourne has gained golden opinions with the public by the frank, manly and straightforward manner with which he has hitherto conducted his Administration; and he may be assured that the people have full confidence in his ability and discretion to deal with the difficult crisis before him, in the manner which may be most conducive to the welfare, peace, and satisfaction of the country. He has nothing to fear. Let the Tories and the Court do their worst. Let them make another experiment, on their own responsibility, and at their own risk. It will be the last, and it may clear the way to a better understanding of the means by which it will be necessary for the people to secure the march of good government, against Court intrigues and Tory opposition. We do not think it will come to this; but we are sure nothing is so likely to lead to mischief as any concealment or mystification of the real state of affairs.

Reformers well know what become them under such circumstances:—the strictest union and the greatest and most scrupulous forbearance on every point which can weaken, even in appearance, or in any manner tend to embarrass the Government. Nothing can be more admirable than the conduct of all classes and parties in the liberal ranks up to this period. They already see the advantage of it in their increased and increasing strength in the House of Commons, and they have only to persevere in the same conduct to insure a final triumph over the combination opposed to them, and which, after all, is powerful only when working in the dark.

We entreat the communication, from any quarter, of facts and observations which may enable us to expose to the public the proceedings both of Carlton and Conservative Clubs, and of Court cabals and intrigues. The Reform Bill will, we trust, be found an effectual antidote to those remnants of the last venomous but important efforts of Tory dominion.

THE MORNING HERALD,—JULY 15.

"We have neither time nor space to offer more than a passing notice of the discussion which took place in the House of Lords last night, on Lord Radnor's motion for the second reading of the 39 Articles Bill, which was rejected by a large majority. The debate which took place on this occasion will be read with deep interest, especially at the present time, when every question affecting the claims of the Dissenters is seized with avidity by the champions upon either side. There are many, however, even amongst those who are for conceding as much as can be conceded to the Dessenters, without compromising the safety of the Establishment, who would not wish to see that done by a side wind, which, if done at all, ought to be done in a direct straight forward manner. It is obvious that the regulation for subscribing the 39 Articles, be it right or wrong, is a security for the Protestant character of the Universities, and cannot be considered abstractedly from that question. The vote of the House of Lords has determined that, for this Session at least, the Universities shall retain their Protestant character.

THE SLAVERY COMPENSATION MONEY.

In apportioning the twenty millions of compensation money voted by Parliament to the owners of slaves, it seems as if Government intended to sanction the appropriation of above two millions of that sum to the planters in the Mauritius, which ought to be divided among the West Indian Proprietors. If so, we do not hesitate to say, such an appropriation of the compensation money, contrary to the legitimate object for which it was voted, will be an act of gross injustice, that cannot fail to reflect deep disgrace upon our liberal Administration—we will give our reasons.

The public can hardly have forgotten the inquiry that took place about seven or eight years ago, respecting the felonious importation of slaves into the Mauritius, from the capture of that colony from France, in 1810, down to the year 1823. The result of that inquiry (substantiated by the report of a Commission in 1828) was that out of a population of 64,709 slaves, which the colony contained in 1823, not less than 50,000 had been imported since the legislative abolition of the slave trade, which made the horrible traffic in the bones and sinews of living men a capital felony. This contraband trade in human cargoes was proved to have been principally carried on during the government of Sir Robert Farquhar.

Upon this subject the *Christian Advocate*, some time ago, published a statement, of which we avail ourselves in giving a brief view of the leading facts of this extraordinary case.

The journal to which we have alluded says—"When the Commissioners of Inquiry had made their report to his MAJESTY'S Government, and Mr. Buxton was admitted to have established his complaint, it would have been preposterous to have revived the Parliamentary Committee.

Sir George Murray, with that noble frankness which marks his character, at once acquiesced in Mr. Buxton's position, that all these slaves were entitled to freedom, or rather that they were *de jure* free, and that their freedom must be asserted for them.

"But here arose great difficulty, large as the proportion of new slaves was understood to be, it was almost impossible to distinguish them from those slaves who had been legally imported into the island, under the French Government, in 1810. The artful knaves who carried on the trade, whether as buyers or sellers, managed it with so much privacy that a cargo of slaves might remain concealed till all trace of their being new comers was lost; and the registration of 1815 was evaded in such a multitude of ways, that it was impossible to trace the history of a slave by means of it. Sir George Murray felt the difficulty, but expressed himself with the same honesty as to the proper means of surmounting it. The slave-owners had themselves created the confusion to receive the fruits of their criminality; they must take the consequences. *All the slaves in the Mauritius shall be free whether legally or illegally imported rather than free men shall remain in bondage.* If the owner *can indentify* his slave as one legally acquired, let him retain his property but the *onus probandi* shall lie upon him." Such were the enlightened sentiments, such the righteous decision of Sir George Murray when at the head of the Colonial Department.

"But alas! for the unfortunate slaves, Sir George quitted office e'er he could redeem his promise. And though, with Lord Goderich at the head of the Colonial Department, a man not less honest or less able than his predecessor, the Mauritius slaves, or rather, we should say, the kidnapped freemen remained unemancipated. About three years ago Mr. Jeremie was sent to the Mauritius, with directions for the emancipation of those unfortunate men, but upon a different and far less equitable principle. The *onus probandi* was shifted from the owner to the slave; the latter was to prove his freedom, instead of the former establishing his title." This was the decision of a *liberal* Administration: and to make the case more cruel, an Order in Council was issued, declaring it to be sufficient to sustain a persumption in favour of slavery, than 20 years undisputed possession of the slave should be established. "Thus," says the *Christian advocate*," inasmuch as Mr. Jeremie's functions would not commence till July, 1832, all the possessor of slaves illegally imported prior to the same month, in 1812, would under the Order in Council have their felonious title converted into a legal one."

We will only at present observe upon this case, that the conduct of our liberal Administration comes to this—it robs the West India planters of upwards of 2,000,000 of their compensation money for the loss of their *bonefide* slaves, to reward the French importers of slaves in the Mauritius, for their criminal conduct in kidnapping 50,000 freeman. It, in fact, awards upwards of 2,000,000 sterling, as a pecuniary encouragement for having committed 50,000 capital felonies! Mr. Spring Rice protested against such a proceeding when he was out of office. Now, it seems, he is a consenting party to the iniquitous arrangement. But we hope the power of public opinion will intervene, and in spite of themselves, save one Whig Ministers, from falling into this irreparable disgrace,—*Morning Herald, July* 15.

THE SPANISH EXPEDITION.

We learn from the *Naval and Military Gazette*, that several officers of the Indian Army have tendered their services on the Spanish expedition, and that they have been accepted. The following paragraph communicates the circumstance. It will be seen that Captain Miles, of the Bengal Army, is amongst the number:—

'Since the promulgation of the Order in Council last week more than One Hundred Officers on Half-Pay have made application at the office in Charing Cross for Commissions in the service of the Queen of Spain. There is no question that they will be allowed to retain their British Half-Pay, although as yet no Order has been issued respecting the quarterly affidavits; nor have we any reason to suppose that the claims of the Widows of British Officers who fall in this service will be thereby injured. The pay and allowances will be the same as in the British Army.

With a view to the respectability and efficiency of the force to be raised, each candidate is required to produce satisfactory references as to character, capability, &c.

The applications from the medical profession are very numerous; these gentlemen are received on Thursdays only. The hours of attendance at the office are daily from twelve till three.

Volunteers (not British Officers), will have to provide their outfits themselves, and we understand that their raising of able recruits will give them an additional claim to be afterwards selected for Commissions. They are invited to subscribe to a Fund for the relief of the wounded or provision for Widows.

The charge of examining the credentials of the candidates, and receiving these statements, has been consigned to Colonel Robinson, whose urbanity and patience is the theme of general praise.

It is at present intended to raise 10,000 men, of which number 9,000 will form twelve regiments of Infantry; the remainder will be divided into 700 Lancers, and 300 Artillerymen. The recruiting is being pursued with great activity throughout the United Kingdom. The clothing and equipments will be nearly the same in every respect as those for British troops. Messrs. Moore, of Bond-street, are the contractors for the former.

Colonel Evans, C. B., will accompany his brother, Colonel De Lacy Evans, M. P. and act as Military Secretary. Several Officers of the Indian Army, now in England, intend to embark in this service:—Captain Miles, Bengal Army; Captain Apthorpe, 2d Madras Infantry; and Lieutenant Canny, 40th Madras Infantry and many others have been named to us.

The British Government is wholly passive in the affair, but no doubt can be entertained that such Officers as engage in the expedition will not injure their future prospects in the eyes of the present Ministry. It is intended that two battalions, of 500 men each, shall embark at Falmouth in the *Royal Tar* and other steam vessels, about the latter end of the next week. The remainder will follow in quick succession.'

Upon the subject of this expedition, the *Globe* makes the following observations:

'We are enabled to state that, although no appointments whatever have as yet been made, with the exception and that in a very limited degree, of those for the recruiting service, the organisation of the expedition is rapidly progressing towards that state which will soon enable Colonel Evans to state explicitly all the particulars necessary to be known by those desirous of enlisting in the service. The number of British officers who have already given in their names and qualifications exceed all anticipation, and it is consequently determined to take time in the choice, such few being only now selected for ultimate appointment as are considered most likely to further the objects of the expedition in its commencement. The number of volunteers is incredible, and as they are respectable, that in order to maintain the character of that portion of the force, it is resolved to take those only who can bring with them twenty men each, or who will make an equivalent deposit in the Bank of England, to be applied to some object of humanity connected with the expedition, afterwards to be considered. The equivalent, however, is not fixed upon. With regard to the statements that have from time to time appeared, giving the particulars of cost of men, destination, &c., we are authorized to give them the most unqualified contradiction. We may state, however, that arrangements are now making to prepare a division for departure next week, in the course of which such officers as may be selected for it will receive intimation as early as possible.'—*Englishman.*

RECRUITING FOR SPAIN—BELGIUM.

The following Order of the Day to the Army, signed by the Minister of War, was published in Brussels on the 20th inst.:—

"The Minister of War, in consequence of the numerous applications which have been made to him, thinks it necessary to inform the army, that the government has not authorised either the levy or the formation of auxiliary corps destined to serve out of the kingdom, and that in consequence he has had no occasion to decide on any kind of licence to be granted for this purpose to the general or superior officers whose names have been mentioned in the journals.

"The officers will therefore refrain from making application to the War Department with a view to obtain permission to serve in these pretended corps, which never existed except in the public journals, by which this statement has been propagated without its ever having had the smallest foundation.

(Signed) "Baron EVAIN."

Our readers will not fail to observe, in another part of our paper, another document, laying claim to official authority, in the shape of a would-be-royal decree of Don CARLOS, setting forth that "all strangers who shall fall into OUR hands shall, after time being given them to perform their religious duties, be instantly shot." We wonder this was not headed, *à la Chinoise*, "Tremble intensely!" We recommend Colonel EVANS to issue a counter-proclamation, informing his pseudo-Majesty that a similar fate awaits him, if he falls into the hands of the said strangers, after such an announcement of his intended hospitalities to them. We think that "I the King" may fairly expect some reciprocation of courtesy, particularly as "I the King," perhaps, may be more likely to fall into the hands of Colonel EVANS, than, as LISTON says, *vice versa*.—*Globe. July* 1.

Don Carlos has issued the following:

"ROYAL DECREE.

"Having received information that the revolutionary usurping government, not being further able to fill up its ranks with fresh Spanish victims, has ordered its agents in France, England, and Brussels, to recruit foreigners for that purpose,

"I order and decree as follows—

"Article 1. All strangers, without distinction of rank or grade, who shall take up arms against my legitimate rights, or who shall serve, by any means whatsoever, the rebel army of the usurpation, shall be deprived of the benefits of existing laws, nor shall they be considered as included in the 'convention for the exchange of prisoners,' signed by my authority by my Commander-in-Chief at Asarta, on the 28th of April last.

"Article 2. All strangers above noticed, who shall fall into our hands, shall, after time being given them to perform their religious duties, be instantly shot.

"Article 3. At the conclusion of the war, all such strangers who shall have taken arms against my just cause shall be excluded from the country and never more permitted to enter it. They shall not be suffered to establish themselves as merchants, possess estates or property whatsoever, under pain of being treated as acting in opposition to the laws of the country.

"I do further order that this my Royal Decree be published in all my dominions, and you will take the necessary steps that foreigners may be made acquainted with it as soon as possible.

"Royal Palace, Durango, June 20, 1835.

"I, The KING.

"To his Excellency Charles Cruz, Mayor."—*Globe, July* 1.

THE COUNTRY, THE COURT, AND THE TORIES.

(*From the Spectator, July* 11.)

Among the causes of the national discontent, which was very prevalent in the year 1770, Mr. Burke puts prominently forward the attempts of a certain party in the state to "separate the Court from the Administration." The creatures of this party, he tells us, were "distributed with art and judgment through all the *secondary but efficient* departments of office, and through the *households* of all the branches of the *Royal Family*; so as on one hand to occupy all the avenues to the throne, and on the other to forward or frustrate the execution of any measure according to their own interests." The state of things, the observing politician assures us, had brought "the whole body of Government into confusion and contempt."

If in our own day the condition of public affairs is not so disastrous and immediately alarming as it was at the time Mr. Burke wrote his most masterly political pamphlet.* it is not because the same means have not been adopted to exalt the Court party and exasperate the people. On the contrary, the same efforts are made to "separate the Court from the Administration," the same plan resorted to with the view of frustrating the execution of Ministerial measures. The Court is avowedly hostile to the responsible Government which the National Representatives have resolved to support. This is no secret. The King prefers the Tories whom the Nation prejudices, and is not at the pains to conceal his mortification at being compelled to give up his favourites. Had it been found possible to secure a majority of the House of Commons in

* Thoughts on the Cause of the Present Discontents.

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

favour of the Court party, we should have soon beheld symptoms of that state of public feeling which as Burke remarked, "opened our troubles in the time of Charles the First," and alarmed all the friends of internal peace and good government in his own day. But it is the Liberal majority of the House of Commons which however it may be the object of hatred and vituperation at Court, gives confidence to the Country and security to the Throne. As long be our Representatives do their duty, there will be no danger of the "interposition of the great body of the people."

But in the meanwhile, it may be advisable for the men who prompt the King to treat with disrespect and even rudeness the Ministers whom the Country is determined resolutely to support, to reflect on the inevitable consequence of the struggle is which the Court and Country parties are engaged. What have the former gained by the *coup d'état* of last November? Is the King personally more beloved, or the Queen less suspected? Has the Movement been obstructed? Has it not, on the contrary received a fresh and powerful impetus? Let the vote on Mr. Grote's motion for the Ballot answer this question: in spite of the opposition of the Minister, and of the whole Tory party, 170 Members either voted or paired off in favour of that important innovation; in the last Parliament, only 108 Members could be mustered to support it: this is one indication of the advance towards thorough Liberalism which the Tory exploit in November has so accelerated.

But this is not all. In order to obtain even a chance of keeping office, Sir Robert Peel and his colleagues were obliged ostensibly to renounce Toryism. Half a dozen years ago, a Minister who professed to do what Sir Robert Peel promised, would have been styled a Revolutionist. Mr. Canning would have started back in dismay at the programme of Merchant Tailors' Hall and the Tamworth Manifesto. The tone which Peel was compelled to adopt, and the measures which he reluctantly advertised, proved the utter failure of the Tory plot, and paraded before the world the downfal of Toryism. The gain of votes from the moderate Whigs was no counterbalance to this compulsory abandonment of the principles, and in a great measure of the practices of the Tory party; especially when so formidable an addition was made to the numbers and influence of the Movement.

SUBMARINE RESEARCH AND AERIAL NAVIGATION.

(From the Spectator, July 11.)

A visit to the bottom of the "deep deep sea," and a voyage through the realms of air, would seem likely to become as easy of accomplishment, by means of Deane's Diving-apparatus and the Aërial Ship, as a trip to France by steam.

Mr. Deane, the inventor of the Diving apparatus, has opened an exhibition at that focus of sights, 209, Regent Street, of some of the various spoils that he has rescued from Neptune's kingdom, together with his diving-dress and apparatus. The room is lined with pictures, showing the different operations he has carried on under water, and the simple machinery by which he is enabled to effect them; and the sides of the floor, made to represent the bed of the ocean, are strewed with the fragments of wrecks. The only valuable trophy exhibited is one of the brass guns, a four-and twenty pounder, brought up by Mr. Deane from the wreck of the Royal George, lying in seventy-two feet of water. Mr. Deane has not only recovered anchors and cargoes of sunken ships, but he has succeeded in raising a foundered vessel (the sloop Endeavour), which has since been repaired fit for sea. The utility of the apparatus in enabling architects and engineers personally to inspect the foundations of piers, docks, &c. and to effect slight repairs under water with perfect ease and safety, is evident. It must entirely supersede the diving bell; indeed, it is a *diving-bell for the head*.

Mr. Deane, who attends the exhibition, says that he feels no inconvenience when under water: he is well wrapped in flannel underneath a waterproof dress, and is protected from the pressure of the water on the chest by a stiff belt; so that he feels neither cold nor difficulty of breathing. The light under water is of a greenish hazy hue, and sufficient to see a few feet round. At first he carried a lantern, which was supplied with air from that which he had respired; but he has since dispensed with it, and the foul air escapes round the shoulders of the helmet. The air-pump is in a vessel above, to which is attached a rope or wooden ladder, and a guide rope to prevent the diver from woundering too far away. He ascends and descends through the surrounding water with the same ease as above ground. This apparatus might be employed with great advantage in the pearl fishery—coral and rare shells might be procured *ad libitum*. The diver's occupation is not gone, but only agreeably facilitated.

Leaving the deep, let us ascend in fancy to the region of clouds with the Aërial Ship. This vast machine is the same that was described in the *Spectator* some time ago, as being about to ascend from Paris. It is a cylindrical balloon, with conical ends, floating lengthwise, and guided by fin-like paddles attached to the balloon, and a rudder like a fish's tail fixed to the car. It has not voyaged through the air from Paris, but has been brought to this country as ignoble luggage, per steam boat. It is now in dock in a large building in the Victoria Road, Kensington; and we very much doubt if it will ever be launched into air, though it said to be about to ascend. It will attract as an exhibition, however; for not having been tried, the feasibility of the scheme and the ingenious construction of the machine induce the sanguine to speculate on the probability of its success. The nature of the currents of air in elevated regions has first to be ascertained, however and then the capabilities of the mechanism to avoid some and render others available to propel the machine. The contrivance for raising and lowering the air-ship, by means of a small air-balloon within the larger one, which can be inflated or exhausted at pleasure, upon the principle of the air-bladder of a fish, is equally simple and clever. Some idea of the magnitude of the machine may be formed from the fact, that it is constructed to carry thirty or forty passengers, and requires a crew of seventeen persons to manage it.

If the project succeeds, adventurous voyagers may visit the summit of Mont Blanc, the Peak of Teneriffe, Cotopaxi, and the Himalaya chain, without the trouble of climbing, and be literally "wafted from the Indus to the Pole."

FINE ARTS.

BRITISH INSTITUTION: BONE'S ENAMELS.

THE collection of miniatures in enamel of the distinguished persons af the reign of ELIZABETH, by the late HENRY BONE, occupying the south end of the South Room, forms one of the most interesting features of this exhibition. They are all accurately copied from the original portraits by HOLBEIN, ZUCCHERO, &c.; and as faithful limnings by the most celebrated painters of that time of the lineaments and costumes of persons whose names history makes us familiar with, they are no less curious than beautiful. Most, if not all of these portraits have, we believe, been engraved in LODGE'S collection of *portraits of Illustrious Personages*, and the public have thus and otherwise been made so well acquainted with them that description would be superfluous.

The value of enamel painting, as a means of preserving to the most distant ages the record of works of art that may have been destroyed by time, is not sufficiently appreciated. Its imperishable quality is also combined with the richest colouring and the highest degree of finish; so that no part of the beauty of the picture need be omitted. In one particular only is it inferior to other modes of painting—the texture of different parts of the picture is unavoidably sacrificed. To explain this, it is requisite to describe the process of enamel painting; the extreme labour and nicety of which enhance the rarity and value of excellent specimens of the art. Mr. BONE was the most eminent artist in this style; and these works were all he left to his family: indeed, they formed the labour of almost a whole life. In proportion to their value, is the difficulty of realizing it by their sale. To scatter the collection is a last resort, which we hope will be obviated.

Enamel painting is exceuted on copper, and in some instances on gold; but that is used only for ornamental purposes, or where extreme brilliancy is required to be given to the colours by the aid of the gold ground. The copper is covered with a priming, or flux, as it is termed, on which the colours are laid. The pigments used are mineral substances, and of an opaque and dingy hue, very different from their after appearance; so that a knowledge of the relative value of the colours is a study of itself, and the effects to be produced require nice calculation. When the first layer of pigment is completed, the copper is placed in a furnace, heated to a white heat, in which it remains until the flux begins to melt, during which time the eye of the artist requires to be constantly fixed upon the surface; for should it remain in a moment too long, the flux would flow and the colours be mingled in one shapeless mass, and the copper itself would roll up like a scroll. The fusing of the flux amalgamates the colours with it and the copper. In the future stages of the painting this process is repeated. With all possible care, however, accidents will occur, by which a picture even in its last stage may be destroyed, and the whole labour of the artist lost:—such, for instance, as a jarring of the enamel causing a crack, which the action of the heat will open. A certain degree of warping of the copper is unavoidable, as will be seen in the enamels. The process of firing is dreadfully trying to the eyes of the artist; and it is rarely that he can rely upon another in this delicate and dangerous part of the process, for the delay of a moment would be fatal to the work: Mr. BONE, however, latterly employed a trusty servant to watch the plates in the furnace for him. Sometimes a surface of glass is fused over all as an additional protection; but this is principally employed for ornamental purposes. The enamel surface will resist even a scratch, and can only be injured by a blow; the flux renders the metal impermeable to moisture, so that it is incorrodible.

We shall take advantage of the first open week to resume our account of the rest of the pictures in the Exhibition.—*Spectator*.

PLEASURES OF SCIENTIFIC INVESTIGATION.

(From the Globe, July 1.)

If it is pleasing to find that the properties of two curves so exceedingly unlike as the allipse and the hyperbola closely resemble each other, or that appearances so dissimilar as the motion of the moon and the fall of an apple from the tree are different forms of the same fact, it affords a pleasure of the same kind to discover that the light of the glow-worm and the song of the nightingale are both provisions of nature for the same end of attracting the animal's mate and continuing its kind—that the peculiar law of attraction pervading all matter, the magnitude of the heavenly bodies the planes they move in, and the directions of their courses, are also contrived as to make their mutual actions, and the countless disturbances thence arising, all secure a perpetual stability to the system which no other arrangement could attain. It is a highly pleasing contemplation of the self-same kind with those of the other sciences to perceive every where design and adaptation—to discover uses even in things apparently the most accidental—to trace this so constantly, that where peradventure we cannot find the purpose of nature, we never for a moment suppose there was none, but only that we had hitherto failed in finding it out—and to arrive at the intimate persuasion that all seeming disorder is harmony—all chance design—and that nothing is made in vain; nay, things which in our ignorance we have overlooked as unimportant, or even complained of as evils, fill us afterwards with contentment and delight when we find that they are subservient to the most important and beneficial uses. Thus inflammation and the generation of matter in a wound we find to be the effort which nature makes to produce new flesh, and effect the cure; the opposite hinges of the valves in the veins and arteries are the means of enabling the blood to circulate; and so of innumerable other arrangements of the animal economy. So too there in the highest gratification derived from observing that there is a perfect unity, or, as it has been called, a personality, in the kind of the contrivances in which the universe abounds; and truly this peculiarity of character, or of manner, as other writers have termed it, affords the same species of pleasure which we derive from contemplating genenal resemblances in the other sciences.—*Lord Brougham's Theology*.

SELF-DENIAL OF AN ELEPHANT.

(From the United Service Gazette, July 11.)

A lively writer in the *Metropolitan* relates amongst other interesting anecdotes of an elephant which he saw at Rangoon, the following, instance of self-denial and sagacity:—It "appears that when an elephant has had enough to eat, he generally selects a long bough, and pulling off all the lateral branches, leave a bush at the end forming a sort of whisk to keep off the flies and musquitoes; for although the hide of the elephant is very thick, still it is broken into crannies and cracks, into which the vermin insert themselves. Sometimes they have the following ingenious method of defending themselves against these tormentors—they put the end of their trunk down in the dust, draw up as large a quantity as they can, and turning their trunks over their heads pour it out over their skin, powdering and filling up the interstices, after which they take the long branch and amuse themselves by flapping it right and left, and in all directions about their bodies, wherever the insects may settle. I had observed a large elephant very busy flapping himself right and left, evidently much annoyed by the persecution of the musquitoes. The animal showed by the constant flagellation of his person, that he was much annoyed by his persecutors, and just at that time, the keeper brought a little naked black thing, as round as a ball, which in India they call a child, laid it down before the animal with two words in Hindostanee—"*Watch it!*" and then walked away into the town. The elephant immediately broke off the larger part of the bough, so as to make it smaller and more convenient to whisk, and directed his whole attention to the child, gently fanning the little lump of Indian ink, and driving away every musquito which came near it; this he continued for upwards of two hours, regardless of himself, until the keeper returned. It was really a beautiful sight, causing much reflection. Here was a monster, whose bulk exceeded that of the infant by at least ten thousand times, acknowledging that the image of his maker, even in its loveliest degree of perfection, was divine; silently proving the truth of the sacred announcement, that God had "given to man dominion over the beasts of the field." And here too was a brute animal setting an example of devotion and self-denial, which but few Christians, none indeed but a mother, could have practised. Would Fowell Buxton, surrounded by a host of musquitoes, have done as much for a fellow-creature, white or black? not he; he would have flapped his own thighs, his own ears, his own face, and his own every thing, and have left his neighbours to take care of themselves; nor should we blame him."

The Spanish Expedition.—It is proposed to raise fourteen battalions of infantry, three of artillery, and one of rifles. The principal recruits will be raised in Devonshire, Lancashire, and Ireland. A Belgic auxiliary corps, and a body of French volunteers, will be raised in their respective countries. The steam vessels which are engaged to transport the first division of the English auxiliary legion to Spain are to be in sailing order early next month. Six thousand men are to sail from Algiers for Malaga, as the French quota. They compose the legion of foreign auxiliaries in the French African army. Ten thousand British volunteers under Colonel Evans and Colonel Hodges, and the Portuguese force, will place altogether 30,000 fighting men, admirably equipped and disciplined at the service of the Queen of Spain, besides the naval force of England and France to guard her shores. This morning a supporter of Col. Evans waited on him to know his intentions with respect to his seat in Parliament. The Colonel replied as follows:—"I shall not resign; it is not necessary I should do so, for I shal not quit the country just yet, and before the next session I shall be back again. My constituents will sustain no injury by my absence."

The failure of the Banking-house of Messrs. Lee, Brassey, and Co., will prove detrimental to Mr. Justice Patterson, the bulk of whose property was invested in the firm to one of the partners to which he is allied by marriage. The Learned Judge having lately been visited with deafness, has signified his wish to retire from the Bench—he will not be entitled to a retiring pension. Lord Bexley, it is said, has lost three thousand pounds by the failure.—*Sun*.

MELANCHOLY AND EXTRAORDINARY SUICIDE.—Yesterday, at about twelve o'clock, a young lady, a Miss St. George, of Baggot street, of highly respectable connexions, was found suspended by a rope from the hall lamp. Although some signs of life remained when the fatal knot was cut, and medical aid almost instantaneously procured, she survived but a few moments. It is said that a breach of faith on the part of a military officer, was the cause of the catastrophe.—*Stewart's Dublin Dispatch*.

At the last grand party of the Duke of Wellington one of the swell mob managed to procure an entrance into the state room, disguised as a foreign Prince, wearing a star and several orders. A police officer, whose suspicions had been awakened by the unintelligible long name which his "Highness" gave, went up to the fellow, and whispered that he had better be introduced to the Duke of Wellington. This offer was, however, politely declined by the *distingué*, and it was then suggested that he should walk to the station-house, the proper receptacle for men of his rank, with which invitation he expressed his readiness to comply, and marched off accordingly, *sans tombour, sans trompette*.—*Morning Post*.

We understand that both corn and flour are shipping from this country to America, in consequence of the wheat crops having failed in the United States.

Yesterday some of the Directors of the London and Greenwich Railway, attended by their engineer and secretary accompanied Lord Dundonald to witness the working of that Nobleman's rotary engine, with which they were highly gratified. The object of these Gentlemen was to ascertain the applicability of this engine to the uses of their railway.

Sheridan Knowles has returned in high spirits from the United States. His complimentary benefit at New York produced him more than 550*l*. sterling.

(From the Boston News Letter, June 11.)

A BEAUTIEUL REFLECTION.—It cannot be that earth is man's abiding place. It cannot be that man's life is a bubble, cast up by the ocean of eternity, to float a moment on its waves, and sink into nothingness.—Else why is it that the high and glorious aspirations, which leap like angels from the temples of our heart, are for ever wandering about unsatisfied? Why is it that the rainbow and the cloud comes over us with a beauty that is not of earth, and then pass off and leave us to muse upon thair faded lovliness? Why is it that the stars hold their festival around the midnight throne, and set above the group of our limited faculties, forever, mocking us with their unapproachable glory. And, finally, why it is that bright forms of human beauty are presented to our view, and then are taken from us—leaving the thousand streams of our affections to flow back in Alpine torrents upon our hearts? We are born for a higher destiny than that of earth. There is a realm where the rainbow never fades, where the stars will be spread out before us like islands that slumber on the ocean, and where the beautiful beings which have passed before us like shadows, will stay in our presence forever.—*Maniac of the Lake*.

A CRIER EXTRAORDINARY.—A Gentleman informs us that, while sojourning in the towns of Virginia, he encountered in the street a stout double lunged Negro, who was ringing a hand-bell most manfully. After labouring at it some time, the fellow made a dead halt, and bellowed out something to the following effect: 'Sale dis night—frying pans, gridirons, books, oyster-knives, and odder kinds of medicine. Joe Williams will hab some fresh oysters at his establishment, by tickler desire. Mr. Hewlett will gib limitations ober agin or three dozen damaged discussion gun locks, and Rev. Mr. P——Q——will deliver a sarmont on temperance, half past six o'clock precise—dat's not all without money or price—the great bull Philip will be stationt at Squire S——'s, and dat's not all neither. Dare will be a perlite and select colored ball at Mrs. Mason's, just arter dis has been done!'

(From the United Service Gazette, July 11.)

Lord John Scott, Capt. Hamilton, and Colonel Greenwood, of the Guards, have sailed for the seat of war in Spain, in the Duke of Buccleuch's yacht the Flower of Yarrow. The party embarked at Portsmouth direct for Bilboa.

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